JOURNAL

OF THE

UNITED STATES

In Congreſs Aſſembled,

CONTAINING

THE PROCEEDINGS

FROM

The Firſt Monday in November 1782,

TO

The Firſt Monday in November 1783.

VOLUME VIII.

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JOURNAL

OF THE

United States, &c.

MONDAY, NOVEMBER 4, 1782.

The following members attended from

NEW-HAMPSHIRE,	Mr. *John Taylor Gilman*, Mr. *Phillips White*.
MASSACHUSETTS,	Mr. *Samuel Osgood*.
RHODE-ISLAND,	Mr. *Jonathan Arnold*, Mr. *David Howell*
CONNECTICUT,	Mr. *Benjamin Huntington*, Mr. *Eliphalet Dyer*.
NEW-YORK,	Mr. *James Duane*, Mr. *Ezra L'Hommedieu*.
NEW-JERSEY,	Mr. *Elias Boudinot*, Mr. *John Witherspoon*.
PENNSYLVANIA,	Mr. *Thomas Smith*, Mr. *George Clymer*, Mr. *Henry Wynkoop*.
DELAWARE,	Mr. *Thomas M'Kean*, Mr. *Samuel Wharton*.
MARYLAND,	Mr. *John Hanson*, Mr. *Daniel Carroll*, Mr. *William Hemsley*.
VIRGINIA,	Mr. *James Madison*, Mr. *Theodrick Bland*.

NORTH CAROLINA,

NORTH-CAROLINA, Mr. *Abner Naſh*,
Mr. *Hugh Williamſon*,
Mr. *William Blount*.
SOUTH-CAROLINA, Mr. *John Rutledge*,
Mr. *Ralph Izard*,
Mr. *David Ramſay*,
Mr. *John Lewis Gervais*.

Their credentials being read, the ſtates proceeded to the election of a preſident; and, the ballots being taken,

The honourable Elias Boudinot was elected.

On motion of Mr. Duane, ſeconded by Mr. Izard,

Reſolved, That the thanks of Congreſs be given to the honourable John Hanſon, late preſident of Congreſs, in teſtimony of their approbation of his conduct in the chair and in the execution of public buſineſs.

On the report of the ſecretary at war, to whom was referred a motion of Mr. Williamſon reſpecting the North-Carolina troops:

Reſolved, That the commander of the ſouthern army be inſtructed to retain in the public ſervice, ſo many of the late eighteen months drafts of the ſtate of North-Carolina as he ſhall think the public ſafety may require; and that a proportionate number of officers ſhall be continued in full pay for the command of thoſe troops while they are in the field, the reſolution of the ſeventh of Auguſt notwithſtanding; and that they then retire on the ſame principles or emoluments on which they would have retired had not the operation of the ſaid reſolve been ſuſpended.

TUESDAY, NOVEMBER 5, 1782.

On motion of Mr. Howell, ſeconded by Mr. Oſgood,

Reſolved, That all committees appointed by the laſt Congreſs and having buſineſs before them, be and they are hereby authoriſed to proceed in the ſame, and that they make report as ſoon as may be.

The credentials of the delegates of New-Jerſey were read, by which it appears, that at a joint meeting of the council and aſſembly at Trenton, on the 30th of October, 1782, the honourable E. Boudinot, A. Clarke, J. Elmer, S. Condict, and Frederick Frelinghuyſen, were elected, and any two or more of them empowered to repreſent and

vote

vote in behalf of that ſtate in the Congreſs of the United States of America, from the 5th of November, 1782, to the 5th of November, 1783, unleſs a new appointment ſhall ſooner take place.

Ordered, That the ſecretary at war lay before Congreſs, as ſoon as may be, a particular ſtate of the invalid corps.

On the report of a committee, conſiſting of Mr. Montgomery, Mr. Bland, Mr. Carroll, Mr. Dyer and Mr. Witherſpoon, to whom were referred a letter of the 16th of September laſt from governor Clinton, a depoſition of Joel Bigelow, and a memorial of Charles Phelps, with ſundry papers therein encloſed and referred to:

Congreſs took into conſideration the report of the committee, conſiſting of Mr. Clymer, Mr. Carroll, Mr. Clarke, Mr. Livermore and Mr. Law, as entered on the journal of the 17th of April laſt; and the reſolution propoſed by this committee being read and debated,

A motion was made by Mr. Howell, ſeconded by Mr. Dyer, to poſtpone the conſideration of the reſolution propoſed by the committee, in order to conſider the following propoſition:

"That the preliminary required of the people, inhabiting the territory called Vermont, by a reſolve of the 20th Auguſt, 1781, as indiſpenſably neceſſary to the recognition of their independence, has been complied with on their part."

A diviſion was called for, and on the queſtion to poſtpone the conſideration of the reſolution propoſed by the committee, and the yeas and nays being required by Mr. Duane,

New-Hampſhire,	Mr. Gilman	*ay*	*ay*
	Mr. White	*ay*	
Maſſachuſetts,	Mr. Oſgood	*ay*	*
Rhode Iſland,	Mr. Arnold	*ay*	*ay*
	Mr. Howell	*ay*	
Connecticut,	Mr. Huntington	*ay*	*ay*
	Mr. Dyer	*ay*	
New-York,	Mr. Duane	*no*	*no*
	Mr. L'Hommedieu	*no*	
New-Jerſey,	Mr. Boudinot	*no*	*
Pennſylvania,	Mr. Smith	*ay*	*ay*
	Mr. Wynkoop	*ay*	
Delaware,	Mr. M'Kean	*ay*	*ay*
	Mr. Wharton	*ay*	

Maryland,

Maryland,	Mr. Carroll	ay	divided
	Mr. Hemſley	no	
Virginia,	Mr. Madiſon	no	divided
	Mr. Bland	ay	
North-Carolina,	Mr. Naſh	ay	ay
	Mr. Blount	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Izard	ay	
	Mr. Gervais	ay	

So it was reſolved in the affirmative.

THURSDAY, NOVEMBER 7, 1782.

On the report of the committee, conſiſting of Mr. Rutledge, Mr Oſgood, Mr. Montgomery, Mr. Boudinot and Mr Duane, to whom were referred the letter of 19th of Auguſt from the commander in chief, the report of a committee thereon, and motions of Mr. Williamſon and Mr. Rutledge relative thereto, and alſo another letter of the 25th of October from the commander in chief, with a copy of a letter to him from the count de Vergennes, dated 29th July laſt, interceeding for captain Aſgill:

Reſolved, That the commander in chief be and he is hereby directed to ſet captain Aſgill at liberty.

FRIDAY, NOVEMBER 8, 1782.

On motion of Mr. Madiſon, ſeconded by Mr. Dyer,

Reſolved, That the commander in chief be inſtructed to call in the moſt pointed terms on the Britiſh commander at New-York, to fulfil his engagement contained in his letter of the 13th day of Auguſt laſt, "to make further inquiſition into the murder of captain Huddy, and to purſue it with all the effect which a due regard to juſtice will admit."

A motion was made by Mr. M'Kean, ſeconded by Mr. Duane, in the words following:

"To prevent any miſconſtruction which might ariſe from the preceding reſolutions of Congreſs:

Be it declared and it is hereby declared, that the commander in chief or the commander of a ſeparate army, is, in virtue of the powers veſted in them reſpectively, fully authoriſed and empowered, whenever the enemy ſhall commit any act of cruelty or violence contrary to the laws or uſage

uſage of war, to demand adequate ſatisfaction for the ſame, and in caſe ſuch ſatisfaction ſhall not be given in a reaſonable or limited time, or ſhall be refuſed or evaded under any pretence whatever, to cauſe ſuitable retaliation to be forthwith made, and the United States in Congreſs aſſembled will ſupport them in ſuch meaſures."

A motion was made by Mr. Howell, ſeconded by Mr. White, to poſtpone the conſideration of the motion.

And on the queſtion for poſtponing, the yeas and nays being required by Mr. Blount,

New-Hampſhire,	Mr. Gilman	*ay*	*ay*
	Mr. White	*ay*	
Maſſachuſetts,	Mr. Oſgood	*no*	1 *
Rhode Iſland,	Mr. Arnold	*no*	*divided*
	Mr. Howell	*ay*	
Connecticut,	Mr. Dyer	*no*	1 *
New-York,	Mr. Duane	*no*	*no*
	Mr. L'Hommedieu	*no*	
New-Jerſey,	Mr. Boudinot	*no*	1 *
Pennſylvania,	Mr. Smith	*no*	*no*
	Mr. Clymer	*ay*	
	Mr. Wynkoop	*no*	
Delaware,	Mr. M'Kean	*no*	*no*
	Mr. Wharton	*no*	
Maryland,	Mr. Carroll	*no*	*no*
	Mr. Hemſley	*no*	
Virginia,	Mr. Madiſon	*no*	*no*
	Mr. Bland	*no*	
North Carolina,	Mr. Williamſon.	*no*	*no*
	Mr. Blount	*no*	
South-Carolina,	Mr. Rutledge	*no*	*no*
	Mr. Izard	*no*	
	Mr. Gervais	*no*	

So it paſſed in the negative.

A motion was then made by Mr. Howell, ſeconded by Mr. Madiſon, to ſtrike out the preamble.

And on the queſtion, Shall it ſtand? the yeas and nays being required by Mr. Williamſon,

New-Hampſhire,	Mr. Gilman	*ay*	*ay*
	Mr. White	*ay*	
Maſſachuſetts,	Mr. Oſgood	*ay*	1 *
Rhode-Iſland,	Mr. Arnold	*no*	*no*
	Mr. Howell	*no*	
Connecticut,	Mr. Dyer	*ay*	1 *

New York,

New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	*
Pennſylvania,	Mr. Smith	ay	ay
	Mr. Clymer	ay	
	Mr. Wynkoop	ay	
Delaware,	Mr. M'Kean	ay	divided
	Mr. Wharton	no	
Maryland,	Mr. Carroll	ay	ay
	Mr. Hemſley	ay	
Virginia,	Mr. Madiſon	no	divided
	Mr. Bland	ay	
North Carolina,	Mr. Williamſon	ay	ay
	Mr. Blount	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Izard	ay	
	Mr. Gervais	ay	

So the queſtion being loſt, the preamble was ſtruck out,

A motion was made by Mr. M'Kean, ſeconded by Mr. Duane, to introduce the declaration with the following preamble:

"To prevent any miſconſtruction which may ariſe from the reſolution directing captain Aſgill to be ſet at liberty."

And on the queſtion to agree thereto, the yeas and nays being required by Mr. Smith,

New-Hampſhire,	Mr. Gilman	ay	ay
	Mr. White	ay	
Maſſachuſetts,	Mr. Oſgood	ay	*
Rhode Iſland,	Mr. Arnold	no	no
	Mr. Howell	no	
Connecticut,	Mr. Dyer	ay	*
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	*
Pennſylvania,	Mr. Smith	ay	ay
	Mr. Clymer	ay	
	Mr. Wynkoop	ay	
Delaware,	Mr. M'Kean	ay	ay
	Mr. Wharton	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. Hemſley	ay	
Virginia,	Mr. Madiſon	no	divided
	Mr. Bland	ay	

North-Carolina,

North-Carolina,	Mr. Williamſon	ay	ay
	Mr. Blount	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Izard	ay	
	Mr. Gervais	ay	

So it was reſolved in the affirmative.

On the queſtion to agree to the motion as amended, the yeas and nays being required by Mr. Blount.

New Hampſhire,	Mr. Gilman	ay	divided
	Mr. White	no	
Maſſachuſetts,	Mr. Oſgood	ay	*
Rhode-Iſland,	Mr. Arnold	no	divided
	Mr. Howell	ay	
Connecticut,	Mr. Dyer	ay	*
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New Jerſey,	Mr. Boudinot	ay	*
Pennſylvania,	Mr. Smith	ay	ay
	Mr. Clymer	ay	
	Mr. Wynkoop	ay	
Delaware,	Mr. M'Kean	ay	ay
	Mr. Wharton	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. Hemſly	ay	
Virginia,	Mr. Madiſon	ay	ay
	Mr. Bland	ay	
North-Carolina,	Mr. Williamſon	ay	ay
	Mr. Blount	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Izard	ay	
	Mr. Gervais	ay	

So it was reſolved in the affirmative, as follows.

To prevent any miſconſtruction which may ariſe from the reſolution directing captain Aſgill to be ſet at liberty, be it declared, and it is hereby declared, that the commander in chief, or the commander of a ſeparate army, is, in virtue of the powers veſted in them reſpectively, fully authorized and empowered, whenever the enemy ſhall commit any act of cruelty or violence contrary to the laws or uſage of war, to demand adequate ſatisfaction for the ſame; and in caſe ſuch ſatisfaction ſhall not be given in a reaſonable or limited time, or ſhall be refuſed or evaded under any pretence whatever,

to cauſe ſuitable retaliation to be forthwith made; and the United States in Congreſs aſſembled will ſupport them in ſuch meaſures.

TUESDAY, NOVEMBER 12, 1782.

On the report of the committee conſiſting of Mr. Oſgood, Mr. Izard, Mr. Bland and Mr. Duane, appointed to conſider and report the moſt juſt and practicable means of reducing the expenditures of the United States; and to whom was referred a report of the ſecretary at war, reſpecting colonel Humphreys:

Reſolved, That a commiſſion of lieutenant colonel iſſue to David Humphreys, one of the aids de camp to the commander in chief, to bear date from the 23d of June 1780.

Whereas no proviſion has been made by Congreſs for the geographers to the armies of the United States; therefore

Reſolved, That the geographer to the main army, and the geographer to the ſouthern department, be each of them allowed ſixty dollars per month, three rations per day, forage for two ſaddle horſes, one two horſe covered waggon, ſix dollars and two-thirds of a dollar per month for a ſervant, for whom they ſhall be entitled to draw one ration per day, and the cloathing allowed to a private ſoldier.

That the aſſiſtant geographers, if ſuch officers ſhall be judged neceſſary by the commander in chief, be allowed thirty dollars per month, one ration per day, and forage for one ſaddle horſe.

That when chain bearers ſhall be employed, not being ſoldiers, they ſhall each be allowed half a dollar per day.

THURSDAY, NOVEMBER 14, 1782.

The committee, conſiſting of Mr. Rutledge, Mr. Oſgood and Mr. Howell, to whom was referred part of the report of a committee on governor Clinton's letter of the 16th of September, and petitions of Charles Phelps, William Shattuck and Henry Evans; report,

That the meaſures complained of in the papers above-mentioned, were probably occaſioned by the ſtate of New-York

New-York having lately iſſued commiſſions, both civil and military, to perſons reſident in the diſtrict called Vermont; and therefore the committee ſubmit the following reſolves.

1ſt. That it be recommended to the ſtate of New-York to revoke all commiſſions, either civil or military, which have been iſſued by the ſaid ſtate ſince the month of May laſt, to perſons reſiding in the diſtrict called Vermont, as deſcribed in the reſolves of the 7th and 20th of Auguſt, 1781.

2d. That it be recommended to the perſons exerciſing the powers of government within the ſaid diſtrict, to make full and ample ſatisfaction to Charles Phelps, William Shattuck and Henry Evans, and to all others in a ſimilar predicament, for the damages which they have ſuſtained in perſon and property, in conſequence of the meaſures taken againſt them in the ſaid diſtrict, and to ſuffer them to return to their habitations, and to remain unmoleſted in the diſtrict aforeſaid.

3d. That it be recommended to the ſtate of New-York, and to the perſons exerciſing the powers of government within the diſtrict aforeſaid, to adhere to the recommendations of Congreſs contained in their reſolve of September 24, 1779, until a deciſion ſhall be had by Congreſs on the ſubject referred to them by the ſaid ſtate of New-York and the ſaid diſtrict of Vermont.

On the queſtion to agree to the firſt reſolution, the yeas and nays being required by Mr. Duane,

New-Hampſhire,	Mr. Gilman	no	divided
	Mr. White	ay	
Maſſachuſetts,	Mr. Oſgood	ay	*
Rhode-Iſland,	Mr. Arnold	ay	ay
	Mr. Howell	ay	
New York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	*
Delaware,	Mr. M'Kean	no	no
	Mr. Wharton	no	
Maryland,	Mr. Carroll	no	no
	Mr. Hemſly	no	
Virginia,	Mr. Madiſon	no	*
North-Carolina,	Mr. Williamſon	no	no
	Mr. Blount	no	

South-Carolina,

South-Carolina,	Mr. Rutledge	no	
	Mr. Izard	no	no
	Mr. Gervais	no	

So the question was loſt.

A motion was then made by Mr. Duane, ſeconded by Mr. L'Hommedieu, that the ſecond reſolve be committed; and, on the queſtion for commitment, the yeas and nays being required by Mr. Howell.

New-Hampſhire,	Mr. Gilman	ay	divided
	Mr. White	no	
Maſſachuſetts,	Mr. Oſgood	no	*
Rhode-Iſland,	Mr. Arnold	no	no
	Mr. Howell	no	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	*
Delaware,	Mr. M'Kean	ay	ay
	Mr. Wharton	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. Hemſly	ay	
Virginia,	Mr. Madiſon	ay	*
North-Carolina,	Mr. Williamſon	ay	ay
	Mr. Blount	ay	
South-Carolina,	Mr. Rutledge	no	ay
	Mr. Izard	ay	
	Mr. Gervais	ay	

So the queſtion was loſt.

A motion was then made by Mr. M'Kean, ſeconded by Mr. Duane, that the remainder of the report be poſtponed, on which the yeas and nays being required by Mr. Howell.

New Hampſhire,	Mr. Gilman	ay	ay
	Mr. White	ay	
Maſſachuſetts,	Mr. Oſgood	ay	*
Rhode-Iſland,	Mr. Arnold	no	no
	Mr Howell	no	
New York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	*
Delaware,	Mr. M'Kean	ay	ay
	Mr. Wharton	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. Hemſly	ay	
Virginia,	Mr. Madiſon	ay	*

North-Carolina,

North-Carolina,	Mr. Williamſon	*ay*	*ay*
	Mr. Blount	*ay*	
South-Carolina,	Mr. Rutledge	*no*	*ay*
	Mr. Izard	*ay*	
	Mr. Gervais	*ay*	

So the queſtion was loſt, whereupon an adjournment was called for and agreed to.

MONDAY, NOVEMBER 18, 1782.

Mr Fitzſimmons and Mr. Peters, two delegates for Pennſylvania, attended and produced their credentials, by which it appears, that the honorable Thomas Mifflin, Thomas Fitzſimmons, James Wilſon, John Montgomery and Richard Peters, eſquires, were, on the 12th inſtant, duly elected delegates to repreſent that ſtate in Congreſs.

Mr. Clarke, a delegate for New-Jerſey, attended and took his ſeat.

Mr. Jones a delegate for Virginia, attended and took his ſeat.

On a report from the ſuperintendant of finance, to whom was referred a report of a committee on a memorial of Mr. A Lee:

Reſolved, That Arthur Lee, eſquire, be permitted to deliver up to the comptroller of the treaſury, ſundry loan-office certificates in his poſſeſſion, amounting to nine thouſand nine hundred and fifty dollars and fifty-five ninetieths of a dollar, and that the ſame be, on ſuch delivery, cancelled; and that the ſuperintendant of finance do thereupon pay the ſaid Arthur Lee, the ſum of two thouſand two hundred and thirty-eight pounds ſeventeen ſhillings and nine-pence ſterling, with intereſt from the 10th day of Auguſt, 1781, at ſix per cent. by bills of exchange in his favour, in livres, at the rate of ten-pence halfpenny ſterling each.

On the report of a committee, conſiſting of Mr. Lee, Mr. Rutledge and Mr. Madiſon, to whom upon a reconſideration, the reſolution of the 28th of May laſt, was referred:

Reſolved, That a commiſſioner be appointed by Congreſs, with full power and authority, to liquidate and finally to ſettle the accounts of all the ſervants of the United States, who have been entruſted with the expenditure of public money in Europe, and all other accounts of the United States in Europe, and to commence and proſe-

cute

cute ſuch ſuits, cauſes and actions, as may be neceſſary for that purpoſe, or for the recovery of any property of the ſaid United States, in the hands of any perſon or perſons whatſoever,

That the ſaid commiſſioner be authorized to appoint one or more clerks, with ſuch allowance as he may think reaſonable.

That the ſaid commiſſioner and clerks reſpectively take an oath before ſome perſon duly authorized to adminiſter an oath, faithfully to execute the truſt repoſed in them reſpectively.

Congreſs proceeded to the election of a commiſſioner, and the ballots being taken,

Mr. Thomas Barclay was elected, having been previouſly nominated by Mr. Williamſon.

Reſolved, That Congreſs will hereafter make adequate proviſion for the ſaid commiſſioner, according to the nature and extent of the ſervices which he ſhall perform.

Ordered, That the ſuperintendant of finance report the neceſſary inſtructions for the ſaid commiſſioner, purſuant to the order of the 29th of May laſt.

TUESDAY, NOVEMBER 19, 1782.

On the report of a committee, conſiſting of Mr. Carroll, Mr. Oſgood and Mr. Peters, to whom was referred a report of a committee on a letter of the 30th of October, from the ſecretary at war:

Reſolved, That the ſenior officers of each grade, ſufficient to form corps agreeable to the act of the 7th of Auguſt laſt, (the regiments to have their compliment of officers, as eſtabliſhed by the acts of the 3d and 21ſt of October, 1780, except as to the therein propoſed ſupernumerary ſubaltern for receiving the recruits, who ſhall be omitted) ſhall be retained in ſervice for the command of the ſaid corps; and the redundant junior officers of the ſeveral grades, ſhall retire from immediate ſervice, agreeably to the ſaid firſt recited act, but the ſaid junior officers, ſo retiring, ſhall retain their rank in the army, and be liable and entitled to be called into actual ſervice, only when regiments or corps ſhall be raiſed for them by their reſpective ſtates. But any ſenior officer, entitled to remain in ſervice, ſhall have the liberty of retiring, with the emoluments of officers retiring under

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the acts last recited, for reasons satisfactory to the commander in chief, or the commanding officer of the southern army, on such retiring officer relinquishing his command and future right of promotion in the army, and signifying the same, on or before the first day of January next, to the commander in chief or the commanding officer of the southern army, who shall duly transmit lists of such retiring officers, to the secretary at war; any act or resolution of Congress to the contrary hereof notwithstanding.

When the foregoing resolution was under debate,

A motion was made by Mr. Howell, seconded by Mr. Arnold, to strike out the words "command and:"

And on the question, shall these words stand, the yeas and nays being required by Mr. Howell,

New-Hampshire,	Mr. Gilman	no	no
	Mr. White	no	
Massachusetts,	Mr. Osgood	ay	*
Rhode Island,	Mr. Arnold	no	no
	Mr. Howell	no	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jersey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
Pennsylvania,	Mr. Fitzsimmons	ay	ay
	Mr. Peters	ay	
Delaware,	Mr. Wharton	ay	*
Maryland,	Mr. Carroll	ay	ay
	Mr. Hemsly	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madison	ay	
North Carolina,	Mr. Nash	ay	ay
	Mr. Williamson	ay	
South Carolina,	Mr. Rutledge	ay	ay
	Mr Ramsay	ay	

So it was resolved in the affirmative.

Congress proceeded in the consideration of the report, and the committee having reported. "That commissions issue to the officers in the several state lines, who are or shall be entitled to promotion, prior to the first day of January next; that the retiring officers may leave the service with the ranks to which they are or shall be respectively entitled, previous to that period."

On

On the queſtion to agree to this propoſition, the yeas and nays being required by Mr Howell.

New-Hampſhire,	Mr. Gilman	no	no
	Mr. White	no	
Maſſachuſetts,	Mr. Oſgood	ay	*
Rhode-Iſland,	Mr. Arnold	no	no
	Mr. Howell	no	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	divided
	Mr. Clarke	no	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Peters	ay	
Delaware,	Mr. Wharton	ay	*
Maryland,	Mr. Carroll	ay	ay
	Mr. Hemſly	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
North-Carolina,	Mr. Naſh	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Ramſay	ay	
	Mr. Izard	ay	
	Mr. Gervais	ay	

So the queſtion was loſt.

WEDNESDAY, NOVEMBER 20, 1782.

Mr. Mifflin, a delegate for Pennſylvania, attended and took his ſeat.

On motion of Mr. Peters, ſeconded by Mr. Clarke,

Reſolved, That commiſſions iſſue, on promotions properly certified, for all regimental officers entitled to fill vacancies happening before the firſt day of January next, excepting vacancies occaſioned by ſenior officers retiring, agreeably to the reſolve of the 19th inſtant, any reſolution of Congreſs to the contrary hereof notwithſtanding.

On the queſtion to agree to this reſolution, the yeas and nays being required by Mr. Howell.

New-Hampſhire,	Mr. Gilman	ay	ay
	Mr. White	ay	
Maſſachuſetts,	Mr. Oſgood	ay	*
Rhode-Iſland,	Mr. Arnold	ay	ay
	Mr. Howell	ay	

New-York,

New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
Pennſylvania,	Mr. Mifflin	ay	ay
	Mr. Fitzſimmons	ay	
	Mr. Peters	ay	
Delaware,	Mr. Wharton	ay	1
Maryland,	Mr. Carroll	ay	ay
	Mr. Hemſly	ay	
Virginia,	Mr. Madiſon	ay	1
North-Carolina,	Mr. Naſh	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Ramſay	ay	
	Mr. Izard	ay	
	Mr. Gervais	ay	

So it was reſolved in the affirmative.

Ordered, That the paymaſter general furniſh the ſecretary at war from time to time, as they may be called for by him, with the accounts of all pay and advances received by or chargeable to the officers and men of the ſeveral regiments in the ſervice of the United States.

The report of the committee, conſiſting of Mr. Lee, Mr. Izard and Mr. Wharton, to whom were referred a letter of the 24th of May laſt from the ſuperintendant of finance, and the orders given to captain Harding, being taken into conſideration, and after debate poſtponed,

On motion of Mr. Duane, ſeconded by Mr. Madiſon,

Reſolved, That the ſuperintendant of finance be directed to inſtruct the commiſſioner for ſettling the public accounts in Europe, to take proper meaſures for adjuſting, without delay, the accounts of Mr. de Beaumarchais or Roderique Hortales and Co. and to report ſuch ſettlement to Congreſs, that order may be taken for payment of the balance, if any ſhall be juſtly due, and that in the mean time no farther remittances or payments be made to Mr. de Beaumarchais or Roderique Hortales and Co. by virtue of any former reſolution of Congreſs.

THURSDAY, NOVEMBER 21, 1782.

A letter of the 17th, from W. Paca, was read, informing that the general aſſembly of Maryland having promoted

moted him to the government of that ſtate, he is obliged to reſign his office of judge of the court of appeals in caſes of capture.

The committee, conſiſting of Mr. Howell, Mr. Gervais and Mr. L'Hommedieu, having reported on the letter of the 6th from the governor of Maryland, relative to the caſe of colonel H. Holingſworth:

Reſolved, That Congreſs are ſatisfied with the report of the honourable Alexander Contee Hanſon, eſquire, one of the judges of the general court of the ſtate of Maryland, on the caſe of Henry Hollingſworth, referred to him by the executive of the ſaid ſtate, in purſuance of the act of Congreſs of the 20th July, 1780; and that the complaint againſt the ſaid H. Hollingſworth be diſmiſſed.

FRIDAY, NOVEMBER 22, 1782.

On motion of Mr. Madiſon, ſeconded by Mr. Oſgood,

Reſolved, That Monday the 2d of December next, be aſſigned for electing two judges for the court of appeals in caſes of capture, one in the room of Mr. Paca, reſigned, and one in the room of Mr. Hoſmer, deceaſed.

MONDAY, NOVEMBER 25, 1782.

Mr. Alexander Hamilton, a delegate for the ſtate of New-York, attended and produced a commiſſion under the great ſeal of the ſtate, dated at Poughkeepſie the 25th of October, 1782, which was read, and by which it appears, that on the 22d of July, 1782, the honourable James Duane, William Floyd, John Morin Scott, Ezra L'Hommedieu and Alexander Hamilton, were appointed delegates to repreſent the ſaid ſtate for one year from the firſt Monday in November, 1782.

On the report of a committee, conſiſting of Mr. Williamſon, Mr. Madiſon and Mr. Peters, to whom was referred a motion of Mr. Madiſon:

Reſolved, That the ſecretary for foreign affairs, be and he is hereby authoriſed to communicate to the miniſters of foreign powers, who may reſide near Congreſs, all ſuch acts and reſolutions of Congreſs, and all ſuch articles of intelligence received by Congreſs, as he may judge proper, thoſe only excepted which Congreſs may ſpecially

ly require to be kept ſecret, in which caſes he ſhall make previous application to Congreſs.

WEDNESDAY, NOVEMBER 27, 1782.

Mr. W. Floyd, a delegate for New-York, attended and took his ſeat.

The committee, conſiſting of Mr. Ramſay, Mr. Naſh and Mr. Peters, to whom was referred a letter of the 20th from the ſecretary at war, reported the draught of a ſupplemental ordinance for regulating the poſt office, which was read a firſt time:

Ordered, That Monday next be aſſigned for the ſecond reading.

Ordered, That Mr. Duane and Mr. L'Hommedieu have leave of abſence.

MONDAY, DECEMBER 2, 1782.

According to order the draught of the ſupplemental ordinance for regulating the poſt-office, was taken up for a ſecond reading; and after debate,

Ordered, That it be recommitted.

A motion was made by Mr. Howell, ſeconded by Mr. Arnold, "That it be recommended to the ſeveral ſtates, to ſettle with and ſatisfy the officers and men of ſuch temporary corps of troops as may have been raiſed within them reſpectively, with the approbation of Congreſs, on account of their pay and emoluments during the time of their actual ſervice, and the depreciation thereon, and charge the ſame to the United States."

A motion was made by Mr. M'Kean, ſeconded by Mr. Hamilton, that the conſideration thereof be poſtponed:

And on the queſtion for poſtponing, the yeas and nays being required by Mr. Howell,

New-Hampſhire,	Mr. Gilman	*ay*	*ay*
	Mr. White	*ay*	
Maſſachuſetts,	Mr. Oſgood	*ay*	1 *
Rhode-Iſland,	Mr. Arnold	*no*	*no*
	Mr. Howell	*no*	
New-York,	Mr. Floyd	*ay*	*ay*
	Mr. Hamilton	*ay*	
New Jerſey,	Mr. Boudinot	*ay*	*ay*
	Mr. Clarke	*ay*	

Pennſylvania,

Pennſylvania,	Mr. Fitzſimmons	ay	1
Delaware,	Mr. M'Kean	ay	ay
	Mr. Wharton	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
North-Carolina,	Mr. Naſh	ay	ay
	Mr. Williamſon	ay	
	Mr. Blount	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Ramſay	ay	
	Mr. Izard	ay	

So it was reſolved in the affirmative.

Ordered, That the order of the day, for electing two judges for the court of appeals, be poſtponed to Thurſday next.

TUESDAY, DECEMBER 3, 1782.

The ſecretary for foreign affairs having aſſigned to Congreſs ſatisfactory reaſons for relinquiſhing his office, and having requeſted permiſſion to reſign,

Reſolved, That Thurſday, the 19th inſtant, be aſſigned for electing another perſon to fill the office of ſecretary for foreign affairs; and that Mr. Livingſton be informed that Congreſs do approve of his propoſal of continuing to perform the duties of the office until a perſon ſhall be appointed to ſucceed him.

On the report of a committee, conſiſting of Mr. Hamilton, Mr. Peters and Mr. Oſgood, to whom was referred a letter of the 22d November, from the ſuperintendant of finance and ſecretary at war:

Reſolved, That after the laſt day of December inſtant, in lieu of the rations hitherto allowed to the officers of the army, including thoſe for ſervants, they ſhall be allowed ſubſiſtance money at the rate of four dollars per month for each ration; provided, that where circumſtances in any caſe ſhall not permit the payment of ſuch ſubſiſtance money, they ſhall draw their rations as heretofore.

Reſolved, That after the forementioned period, in lieu of the pay and rations allowed to the officers of the hoſpital department, including rations for ſervants, they ſhall be entitled to the following monthly pay and ſubſiſtance; provided in like manner, that where the ſaid ſubſiſtance money ſhall not be paid, they ſhall be entitled

to

to draw an equivalent number of rations, at the rate of four dollars for each ration per month, viz.—

The director, one hundred and two dollars pay and ſixty dollars ſubſiſtance.

The deputy director and phyſician, each one hundred dollars pay and forty eight dollars ſubſiſtance.

The ſurgeons, each ninety dollars pay and forty dollars ſubſiſtance.

Apothecary and purveyor, each ninety-two dollars pay and thirty-two dollars ſubſiſtance.

Deputy apothecary and deputy purveyor, each fifty-nine dollars pay and ſixteen dollars ſubſiſtance.

Mates, each forty two dollars pay and twelve dollars ſubſiſtance.

Stewards, each thirty-one dollars pay and eight dollars ſubſiſtance.

Wardmaſters, each twenty-one dollars pay and eight dollars ſubſiſtance.

WEDNESDAY, DECEMBER 4, 1782.

On the report of a committee, conſiſting of Mr. Oſgood, Mr. Madiſon and Mr. Hamilton, to whom was referred a letter of the 29th of November, from the agent of marine, encloſing a copy of a letter of the ſame date, to him, from captain J. P. Jones:

Reſolved, That the agent of marine be informed that Congreſs, having a high ſenſe of the merit and ſervices of captain J. P. Jones, and being diſpoſed to favour the zeal manifeſted by him to acquire improvement in the line of his profeſſion, do grant the permiſſion which he requeſts; and that the ſaid agent be inſtructed to recommend him accordingly to the countenence of his excellency the marquis de Vaudreuil.

On motion of Mr. Hamilton, ſeconded by Mr. Howell,

Reſolved, That a committee be appointed to confer with a committee of the legiſlature of Pennſylvania, relative to the ſubjects of their late memorial to Congreſs:

The members, Mr. Rutledge, Mr. Madiſon and Mr. Hamilton.

The committee, conſiſting of Mr. Hamilton, Mr. Peters and Mr. Oſgood, to whom were referred a report of the ſuperintendant of finance, on a letter of 22d of November 1782, from captain Shreiber, and a letter of 25th of the ſame month from liutenant colonel Cambray; report,

"That

"That although they conſider the ſituation of foreigners in the ſervice of this country, remote from any reſources which they may have in their own, and deſtitute of any competent proviſion here, as involving a peculiar hardſhip, and requiring if poſſible ſome diſcrimination in their favour; yet in the preſent embarraſſed ſtate of the public finances, they cannot adviſe any meaſure for their relief which may derange the general plans of the ſuperintendant of finance; and they therefore recommend, that the matter may be left to his diſcretion to act therein as he may conceive moſt proper."

Reſolved, That Congreſs agree to the ſaid report.

The committee, conſiſting of Mr, Carroll, Mr. Oſgood and Mr. Peters, to whom was referred a letter of the 29th of October, from the ſecretary at war, on the ſubject of future promotions of colonels to the rank of brigadiers; report,

That for the purpoſe of promotions of colonels or lieutenant colonels commandant, the army of the United States ſhall be conſidered as claſſed in the following diviſions; the eaſtern, middle and ſouthern. The troops of New-Hampſhire, Maſſachuſetts, Rhode-Iſland and Connecticut, ſhall form the eaſtern:—thoſe of New-York, New-Jerſey, Pennſylvania, Delaware and Maryland, the middle:—and thoſe of Virginia, North-Carolina, South-Carolina and Georgia, the ſouthern diviſion:

That whenſoever it ſhall be deemed neceſſary for the ſervice, to appoint brigadiers in any ſtate or ſtates where the number of troops in the field are ſufficient to form one or more brigades, the brigadiers ſhall be appointed from the ſenior colonels or lieutenant colonels commandant in the lines of ſuch ſtates; and when brigadiers ſhall be wanted to command brigades within either of the diviſions compoſed of the troops of ſuch ſtates, who have not individually numbers in the field ſufficient to form a brigade, the brigadiers ſhall be appointed from the ſenior colonels or lieutenant colonels commandant in ſuch brigades.

On the queſtion to agree to this report, the yeas and nays being required by Mr. Clarke,

New Hampſhire,	Mr. Gilman	*no*	*no*
	Mr. White	*no*	
Maſſachuſetts,	Mr. Oſgood	*ay*	*
Rhode-Iſland,	Mr. Arnold	*no*	*divided*
	Mr. Howell	*ay*	

New-York,

New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jersey;	Mr. Boudinot	no	no
	Mr. Clarke	no	
Pennsylvania,	Mr Fitzsimmons	ay	ay
	Mr. Peters	ay	
Delaware,	Mr. M'Kean	ay	ay
	Mr. Wharton	ay	
Virginia,	Mr. Madison	ay	*
North-Carolina,	Mr. Nash	ay	ay
	Mr. Williamson	ay	
	Mr. Blount	ay	
South Carolina,	Mr. Rutledge	no	ay
	Mr. Ramsay	ay	
	Mr. Izard	ay	

So the question was lost.

A motion was then made by Mr. Osgood, seconded by Mr. Gilman, as follows:

Whereas it appears, that there are two brigades of troops of the Massachusetts line now commanded by colonels; therefore,

Resolved, That colonel John Greaton, and colonel William Shepard, the two senior colonels in the Massachusetts line of officers, be and hereby are promoted to the rank of brigadiers general in the army of the United States.

And on the question to agree to the motion, the yeas and nays being required by Mr. Osgood,

New-Hampshire,	Mr. Gilman	ay	ay
	Mr. White	ay	
Massachusetts,	Mr. Osgood	ay	*
Rhode-Island,	Mr. Arnold	ay	ay
	Mr. Howell	ay	
New-York,	Mr. Floyd	no	no
	Mr. Hamilton	no	
New-Jersey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
Pennsylvania,	Mr. Fitzsimmons	no	no
	Mr. Peters	no	
Delaware,	Mr. M'Kean	no	no
	Mr. Wharton	no	
Maryland,	Mr. Carroll	ay	*
Virginia,	Mr. Madison	no	*
North-Carolina,	Mr. Nash	no	ay
	Mr. Williamson	ay	
	Mr. Blount	ay	

South-Carolina,

South-Carolina,	Mr. Rutledge	*no*	
	Mr. Ramſay	*ay*	} *no*
	Mr. Izard	*no*	

So the motion was loſt.

The committee, conſiſting of Mr. Ramſay, Mr. Naſh and Mr. Peters, to whom was recommitted the draught of the ſupplemental ordinance for regulating the poſt-office, reported the draught of an ordinance for amending the ordinance for regulating the poſt-office of the United States, which was read a firſt time:

Ordered, That Friday next be aſſigned for the ſecond reading.

THURSDAY, DECEMBER 5, 1782.

According to the order of the day, Congreſs proceeded to the election of two judges for the court of appeals in caſes of capture, and the ballots being taken,

Mr. John Lowell, and Mr. George Read, were elected, the former having been nominated by Mr. Oſgood, and the latter by Mr. Fitzſimmons.

Congreſs reſumed the conſideration of the report of the committee, on the report of a committee on governor Clinton's letter of the 16th of September, &c. as entered on the journal of the 14th of November laſt; and the ſame being poſtponed,

A motion was made by Mr. M'Kean, ſeconded by Mr. Hamilton, in the words following:

Whereas it appears to Congreſs, by authentic documents, that the people inhabiting the diſtrict of country on the weſt ſide of Connecticut river, commonly called the New-Hampſhire Grants, and claiming to be an independent ſtate, in contempt of the authority of Congreſs, and in direct violation of their reſolutions of the 24th of September, 1779, and of the 2d of June, 1780, did, in the month of September laſt, proceed to exerciſe juriſdiction over the perſons and properties of ſundry inhabitants of the ſaid diſtrict, profeſſing themſelves to be ſubjects of, and to owe allegiance to the ſtate of New-York, by means whereof divers of them have been condemned to baniſhment, not to return on pain of death and confiſcation of eſtate, and others have been fined in large ſums and otherwiſe deprived of property; therefore,

Reſolved,,

Reſolved, That the ſaid acts and proceedings of the ſaid people, being highly derogatory to the authority of the United States, and dangerous to the confederacy, require the immediate and decided interpoſition of Congreſs, for the protection and relief of ſuch as have ſuffered by them, and for preſerving peace in the ſaid diſtrict, until a deciſion ſhall be had of the controverſy, relative to the juriſdiction of the ſame:

That the people inhabiting the ſaid diſtrict, claiming to be independent, be and they are hereby required, without delay, to make full and ample reſtitution to Timothy Church, Timothy Phelps, Henry Evans, William Shattuck and ſuch others as have been condemned to baniſhment and confiſcation of eſtate, or have otherwiſe been deprived of property ſince the firſt day of September laſt, for the damages they have ſuſtained by the acts and proceedings aforeſaid; and that they be not moleſted in their perſons or properties, on their return to their habitations in the ſaid diſtrict:

That the United States will take effectual meaſures to enforce a compliance with the aforeſaid reſolutions, in caſe the ſame ſhall be diſobeyed by the people of the ſaid diſtrict:

That no perſons holding commiſſions under the ſtate of New-York, or under the people of the ſaid diſtrict claiming to be independent, exerciſe any authority over the perſons and properties of any inhabitants in the ſaid diſtrict, contrary to the forementioned reſolutions of the 24th of September, 1779, and the 2d of June, 1780:

That a copy of the foregoing reſolutions be tranſmitted to Thomas Chittenden, eſquire, of Bennington, in the diſtrict aforeſaid, to be communicated to the people thereof.

A motion was made by Mr. Howell, ſeconded by Mr. Clarke, to ſtrike out the following clauſe: "That the United States will take effectual meaſures to enforce a compliance with the aforeſaid reſolutions, in caſe the ſame ſhall be diſobeyed by the people of the ſaid diſtrict."

A motion was made by Mr. Madiſon, ſeconded by Mr. M'Kean, that the queſtion for ſtriking out the clauſe be poſtponed, until a queſtion is taken on a motion for amending a previous part of the motion, by ſtriking out

the words " and dangerous to the confederacy, require the immediate and decided interpoſition of Congreſs" and in lieu thereof, inſerting " interpoſed in purſuance of the act paſſed on the day of by the ſtate of New-Hampſhire, and the act paſſed on the day of by the ſtate of New-York, two of the ſtates claiming the ſame, and for the purpoſe of preſerving the peace and intereſts of the confederacy, require immediate and effectual meaſures :"

And on the queſtion for poſtponing, the yeas and nays being required by Mr. Howell,

New Hampſhire,	Mr. Gilman	no	no
	Mr. White	no	
Maſſachuſetts,	Mr. Oſgood	ay	1 *
Rhode Iſland,	Mr. Arnold	no	no
	Mr. Howell	no	
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New Jerſey,	Mr. Boudinot	ay	divided
	Mr. Clarke	no	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Peters	ay	
Delaware,	Mr. M'Kean	ay	ay
	Mr. Wharton	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
North-Carolina,	Mr. Naſh	ay	ay
	Mr. Williamſon	ay	
	Mr. Blount	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Ramſay	ay	
	Mr. Izard	ay	

So the queſtion was loſt.

On the queſtion, ſhall the clauſe moved to be ſtruck out ſtand, the yeas and nays being required by Mr. Howell,

New Hampſhire,	Mr. Gilman	ay	ay
	Mr. White	ay	
Maſſachuſetts,	Mr. Oſgood	ay	1 *
Rhode-Iſland,	Mr. Arnold	no	no
	Mr. Howell	no	
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	

New-Jerſey

New-Jerſey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Peters	ay	
Delaware,	Mr. M'Kean	ay	ay
	Mr. Wharton	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
North-Carolina,	Mr. Naſh	no	ay
	Mr. Williamſon	ay	
	Mr. Blount	ay	
South-Carolina,	Mr. Rutledge	no	ay
	Mr. Ramſay	ay	
	Mr. Izard	ay	

So it was reſolved in the affirmative.

The motion for amending the former part of the original motion, as before recited, was then made by Mr. Madiſon, ſeconded by Mr. M'Kean;

And on the queſtion to agree to the amendment, the yeas and nays being required by Mr. Howell,

New Hampſhire,	Mr. Gilman	ay	divided
	Mr. White	no	
Maſſachuſetts,	Mr. Oſgood	no	*
Rhode-Iſland,	Mr. Arnold	no	no
	Mr. Howell	no	
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	ay	divided
	Mr. Clarke	no	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Peters	ay	
Delaware,	Mr. M'Kean	ay	ay
	Mr. Wharton	ay	
Maryland,	Mr. Carroll	ay	*
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
North-Carolina,	Mr Naſh	ay	ay
	Mr. Williamſon	ay	
	Mr. Blount	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Ramſay	ay	
	Mr. Izard	ay	

So the amendment was loſt.

On

On the question to agree to the original motion, the yeas and nays being required by Mr. Howell,

New-Hampshire,	Mr. Gilman	ay	ay
	Mr. White	ay	
Massachusetts,	Mr. Osgood	ay	*
Rhode-Island,	Mr. Arnold	no	no
	Mr. Howell	no	
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jersey;	Mr. Boudinot	no	no
	Mr. Clarke	no	
Pennsylvania,	Mr Fitzsimmons	ay	ay
	Mr. Peters	ay	
Delaware,	Mr. M'Kean	ay	ay
	Mr. Wharton	ay	
Maryland,	Mr. Carroll	ay	*
Virginia,	Mr. Jones	av	ay
	Mr. Madison	ay	
North-Carolina,	Mr. Nash	no	ay
	Mr. Williamson	ay	
	Mr. Blount	ay	
South-Carolina,	Mr. Rutledge	no	ay
	Mr. Ramsay	ay	
	Mr. Izard	ay	

So it was resolved in the affirmative.

FRIDAY DECEMBER 6, 1782.

On motion of Mr. Williamson, seconded by Mr. Carroll:

Whereas there is reason to suspect, that as well the national character of the United States and the honour of Congress, as the finances of the said states may be injured, and the public service greatly retarded, by some publications that have been made concerning the foreign affairs of said states:

Resolved, That a committee be appointed to enquire into this subject and report what steps they conceive are necessary to be taken thereon.

According to the order of the day, the ordinance for amending the ordinance for regulating the post-office of the United States was read a second time; and the question being put, shall this ordinance be read a third time, was lost.

Ordered,

Ordered, That a letter of the 5th of November, from the adjutant-general to the ſecretary at war, be referred to a committee, and that the committee be inſtructed to conſider the general ſubject of franks, in order to extend or reſtrain the priviledge as they may find neceſſary.

A motion was made by Mr. Hamilton, ſeconded by Mr Rutledge,

That the ſuperintendant of finance be, and he is hereby directed to repreſent to the legiſlatures of the ſeveral ſtates, the indiſpenſible neceſſity for their complying with the requiſitions of Congreſs, for raiſing one million two hundred thouſand dollars, for paying a year's intereſt of the domeſtic debt of the United States, and two millions dollars towards defraying the expences of the eſtimate for the enſuing year, and the inconveniencies, embarraſsments and injuries to the public ſervice, which will ariſe from the ſtates individually making appropriations of any part of the ſaid two millions of dollars, or of any other monies required by the United States in Congreſs aſſembled aſſuring them withal, that Congreſs are determined to make the fulleſt juſtice to the public creditors an invariable object of their counſels and exertions: That a deputation be ſent to the ſtate of Rhode-Iſland, for the purpoſe of making a full and juſt repreſentation of the public affairs of the United States, and of urging the abſolute neceſſity of a compliance with the reſolution of Congreſs of the 3d day of February, 1781, reſpecting the duty on imports and prizes, as a meaſure eſſential to the ſafety and reputation of theſe ſtates.

When the queſtion was about to be put, a diviſion was called for by Mr. Howell; and on the queſtion to agree to the firſt part, as far as "exertions" incluſive, the yeas and nays being required by Mr. Izard:

Reſolved unanimouſly in the affirmative, every member anſwering *ay*.

On the queſtion to agree to the ſecond part, "That a deputation" &c. to the end, the yeas and nays being required by Mr. Izard,

New-Hampſhire,	Mr. Gilman	*ay*	*ay*
	Mr. White	*ay*	
Maſſachuſetts,	Mr. Oſgood	*ay*	*
Rhode-Iſland,	Mr. Arnold	*no*	*no*
	Mr. Howell	*no*	
New-York,	Mr. Floyd	*ay*	*ay*
	Mr. Hamilton	*ay*	

New-Jerſey,

New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Mifflin	ay	
Maryland,	Mr. Carroll	ay	*
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
North-Carolina,	Mr. Naſh	ay	ay
	Mr. Williamſon	ay	
	Mr. Blount	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Ramſay	ay	
	Mr. Izard	ay	

So it was reſolved in the affirmative.

Reſolved, That the deputation conſiſt of three members, and that previous to their departure they confer with the ſuperintendant of finance, the ſecretary at war and the ſecretary for foreign affairs, who are hereby directed to communicate to them ſuch information, from their reſpective departments, as may be moſt conducive to the end propoſed:

The members choſen Mr. Oſgood, Mr. Mifflin and Mr. Naſh.

TUESDAY, DECEMBER 10, 1782.

Mr. Carroll laid before Congreſs a letter of the 6th, from the preſident of the ſenate and ſpeaker of the houſe of delegates of Maryland, informing him of his being choſen a delegate to Congreſs for the enſuing year.

Purſuant to the order of the 18th of November laſt, the ſuperintendant of finance reported the draught of a letter to Thomas Barclay, eſquire, commiſſioner for ſettling the public accounts in Europe, containing inſtructions to the ſaid commiſſioner; and the ſame being read,

Ordered, That it be returned to the ſuperintendant to be tranſmitted.

WEDNESDAY, DECEMBER 11, 1782.

On the application of the ſecretary at war,

Ordered, That he have leave of abſence to viſit his family.

On the report of a committee, conſiſting of Mr. Hamilton, Mr. Madiſon and Mr. Fitzſimmons, *Reſolved*,

Reſolved, That the following letter be ſent to the governor of Rhode-Iſland and Providence Plantations, with the deputation appointed to proceed to that ſtate:

SIR,

CONGRESS are equally affected and alarmed by the information they have received, that the legiſlature of your ſtate, at their laſt meeting, have refuſed their concurrence in the eſtabliſhment of a duty on imports. They conſider this meaſure as ſo indiſpenſible to the proſecution of the war, that a ſenſe of duty and regard to the common ſafety, compel them to renew their efforts to engage a compliance with it; and in this view they have determined to ſend a deputation of three of their members to your ſtate, as expreſſed in the encloſed reſolution. The gentlemen they have appointed will be able to lay before you a full and juſt repreſentation of the public affairs, from which, they flatter themſelves, will reſult a conviction of the propriety of their ſolicitude upon the preſent occaſion. Convinced by paſt experience of the zeal and patriotiſm of the ſtate of Rhode-Iſland, they cannot doubt that it will yield to thoſe urgent conſiderations which flow from a knowledge of our true ſituation. They will only briefly obſerve, that the increaſing diſcontents of the army, the loud clamours of the public creditors, and the extreme diſproportion between the current ſupplies and the demands of the public ſervice, are ſo many invincible arguments for the fund recommended by Congreſs. They feel themſelves unable to deviſe any other that will be more efficacious, leſs exceptionable or more generally agreeable, and if this is rejected, they anticipate calamities of a moſt menacing nature, with this conſolation, however, that they have faithfully diſcharged their truſt, and that the miſchiefs which may follow, cannot be attributed to them.

A principal object of the propoſed fund is, to procure loans abroad. If no ſecurity can be held out to lenders, the ſucceſs of theſe muſt neceſſarily be very limited. The laſt accounts on the ſubject were not flattering, and when intelligence ſhall arrive in Europe, that the ſtate of Rhode-Iſland has diſagreed to the only fund which has yet been deviſed, there is every reaſon to apprehend it will have a fatal influence on their future progreſs. Deprived of this reſource, our affairs muſt, in all probability

liry, rapidly haſten to a dangerous criſis, and theſe ſtates be involved in greater embarraſſments than they have yet experienced, and from which it may be much more difficult to emerge. Congreſs will only add a requeſt to your excellency, that if the legiſlature ſhould not be ſitting, it may be called together as ſpeedily as poſſible, to enable the gentlemen whom they have deputed to perform the purpoſe of their miſſion.

On a report of the ſecretary at war,

Reſolved, That it be recommended to the ſtate of Rhode-Iſland, to ſettle major William Peck's depreciation in the manner they have adjuſted the depreciation of the officers of their line.

THURSDAY, DECEMBER 12, 1782.

Mr. Nathaniel Gorham, a delegate for the ſtate of Maſſachuſetts, attended and produced the credentials of his appointment, which were read, and by which it appears, that on the 24th of October laſt he was elected to ſerve for one year, to commence the firſt Monday of November, 1782.

Mr. John Collins, a delegate for the ſtate of Rhode-Iſland and Providence Plantations, attended and produced the credentials of his appointment, by which it appears, that on the firſt Wedneſday in May laſt, he was choſen to repreſent that ſtate in the Congreſs of the United States for one year, and until another ſhall appear to take his place.

A letter of the 30th of November, from the ſpeaker of the lower houſe of aſſembly of the ſtate of Rhode-Iſland, being read,

A motion was made by Mr. Howell, ſeconded by Mr. Arnold, in the words following:

"Whereas a letter to his excellency the preſident of Congreſs, from the lower houſe of aſſembly of the ſtate of Rhode Iſland and Providence Plantations, hath been this day read in Congreſs, in the words and figures following, to wit.

East-Greenwich, November 30, 1782.

SIR,

IN obedience to the direction of the lower houſe of aſſembly of this ſtate, I have the honour to encloſe to your excellency

their unanimous reſolutions on the recommendation of Congreſs, reſpecting an impoſt on imported goods, &c. and to ſtate ſome of the principal reaſons which produced that reſolution. The recommendation was rejected—

1ſt. Becauſe it would be unequal in its operation, bearing hardeſt on the moſt commercial ſtates, and ſo would preſs peculiarly hard upon this ſtate, which draws its chief ſupport from commerce:

2dly. Becauſe it propoſes to introduce into this and the other ſtates, officers unknown and unaccountable to them, and ſo is againſt the conſtitution of this ſtate: and

3dly. Becauſe, by granting to Congreſs a power to collect monies from the commerce of theſe ſtates, indefinitely as to time and quantity, and for the expenditure of which they are not to be accountable to the ſtates, they would become independent of their conſtituents; and ſo the propoſed impoſt is repugnant to the liberty of the United States.

Many more reaſons might be offered, and the ſubject drawn out to a great length, by deſcending to particulars; but theſe are ſufficient to anſwer the main deſign of the houſe, which is to ſhew a decent reſpect to the ſtates which have differed from them in opinion upon this ſubject.

This ſtate may be juſtly ranked among the foremoſt in the common cauſe, having furniſhed in ſupport of it as many men, and as much money, in proportion to its abilities, as any ſtate in the union, and much more than moſt of them, and it is ſtill diſpoſed to continue its exertions; but it will raiſe and collect its quota of public taxes in ſuch a way as ſhall be judged moſt proper.

And it is hoped, that when its reſolutions are founded on the great principles of liberty and a general intereſt, it will not be thought to ſuſpect the public virtue of the preſent Congreſs, by withholding from them or their ſervants, a power of which their ſucceſſors might make a dangerous uſe.

With the higheſt ſentiments of reſpect for your excellency, and the honourable aſſembly over which you preſide, I am your excellency's moſt obedient ſervant,

WILLIAM BRADFORD, ſpeaker.

"Wherefore reſolved, That the reſolution of the 6th of December inſtant, for appointing a deputation to be ſent

ſent to the ſtate of Rhode Iſland, for the purpoſe of making a full and juſt repreſentation of the public affairs of the United States, and of urging the abſolute neceſſity of a compliance with the reſolution of Congreſs of the 3d day of February, 1781, reſpecting the duty on imports and prizes, as a meaſure eſſential to the ſafety and reputation of theſe ſtates, be and the ſame is hereby repealed."

On this motion the previous queſtion was moved by the ſtate of New-York, ſeconded by the ſtate of New-Hampſhire, that the queſtion be not now put:

And on the queſtion to agree to the previous queſtion, the yeas and nays being required by Mr. Howell,

New-Hampſhire,	Mr. Gilman	*ay*	*ay*
	Mr. White	*ay*	
Maſſachuſetts,	Mr. Oſgood	*ay*	*ay*
	Mr. Gorham	*ay*	
Rhode-Iſland,	Mr. Collins	*no*	*no*
	Mr. Arnold	*no*	
	Mr. Howell	*no*	
New-York,	Mr. Floyd	*ay*	*ay*
	Mr. Hamilton	*ay*	
New-Jerſey,	Mr. Boudinot	*ay*	*ay*
	Mr. Clarke	*ay*	
Pennſylvania,	Mr. Fitzſimmons	*ay*	*ay*
	Mr. Mifflin	*ay*	
Delaware,	Mr. M'Kean	*ay*	1 *
Maryland,	Mr. Carroll	*ay*	1 *
Virginia,	Mr. Madiſon	*ay*	1 *
North-Carolina,	Mr. Naſh	*ay*	*ay*
	Mr. Williamſon	*ay*	
	Mr. Blount	*ay*	
South-Carolina,	Mr. Ramſay	*ay*	*ay*
	Mr. Gervais	*ay*	

So it was reſolved in the affirmative, and the main queſtion was ſet aſide.

On the report of a committee, conſiſting of Mr. Carroll, Mr. Oſgood and Mr. Gilman, to whom were referred the letter and report of the ſecretary at war, on the ſubject of future promotions of colonels or lieutenant colonels commandant to the rank of brigadiers:

Reſolved, That for the purpoſe of promotions of colonels or lieutenant colonels commandant in the army of the United States, to the rank of brigadiers, the army of

of the United States ſhall be conſidered as claſſed in the following diviſions:—the eaſtern, the middle and the ſouthern—The troops of New Hampſhire, Maſſachuſetts, Rhode-Iſland and Connecticut, ſhall form the eaſtern:—thoſe of New-York, New-Jerſey, Pennſylvania, Delaware and Maryland, the middle:—and thoſe of Virginia, North Carolina, South-Carolina and Georgia, the ſouthern diviſion:

That whenſoever it ſhall be deemed neceſſary for the command of troops in ſervice, to appoint brigadiers in any ſtate or ſtates, where the number of troops in the field are ſufficient to form one or more brigades, the brigadiers ſhall be appointed from the ſenior colonels or lieutenant colonels commandant in the lines of ſuch ſtates; and when brigadiers ſhall be wanted to command brigades within any of the diviſions compoſed of the troops of ſuch ſtates who have not individually numbers in the field ſufficient to form a brigade, the brigadiers ſhall be appointed from the ſenior colonels or lieutenant colonels commandant in ſuch brigades.

Ordered, That ſo much of the report as recommends certain officers to be promoted to the rank of brigadiers, be referred to the ſecretary at war to report.

The ſuperintendant of finance, to whom was referred a memorial of Reyer Schermerhorn, reports,

"That from the face of the ſaid memorial, it appears that the caſe of Mr. Schermerhorn falls within the perview of the reſolutions of the 20th of February, 1782"

Reſolved, That Congreſs agree to the ſaid report.

The committee, conſiſting of Mr. Williamſon, Mr. Carroll and Mr. Madiſon, appointed to conſider how far the honour of Congreſs and the finances of the United States may be affected by certain late publications on the ſubject of foreign loans, &c. report,

"That among the different publications which have lately been made concerning foreign loans, they have particularly attended to a very remarkable extract of a letter, publiſhed in the Boſton Gazette of November 10, 1782, under the Providence head, which is there ſaid to be an extract of a letter from a gentleman in Philadelphia to his friend in that town, dated October 16; in which are the following obſervations: 'This day letters have been read in Congreſs from Mr. Adams, of the 16th of Auguſt, and Mr. Dumas, his ſecretary, of the 19th.

The

The loan he is negociating fills as fast as could be expected. The national importance of the United States is constantly rising in the estimation of European powers and the civilized world. Such is their credit that they have of late failed in no application for foreign loans, and the only danger on that score is, that of contracting too large a debt.'

"Your committee have examined the several letters that have been received from Mr. Adams, your minister at the Hague, in the course of the last six months, as well as those from Mr. Dumas, and the sundry letters which have been received from your ministers at Versailles and Madrid on the subject of loans, in the course of the present year, and they are sorry to observe, that the positions just referred to, on the subject of loans, are not only ill founded, but some of them are expressly contradicted by the letters of your ministers at foreign courts; and whereas the above extract, from its date, and particular mention of other dates, is so drawn as to give reason to suspect that it was written by a member of Congress, or by some person officially entrusted with their papers; and as the duty and honor of Congress require that they should endeavour to detect and prevent misrepresentations of this kind:

"*Resolved*, That the secretary for foreign affairs be instructed to write to the executive of Rhode-Island, requesting them to enquire through what channel the above communication was made, or who is the supposed author of the extract referred to, and report accordingly."

Resolved, That Congress agree to the said report.

Ordered, That the further report of the committee be postponed.

On the application of Mr. Howell,

Ordered, That he have leave of absence.

FRIDAY DECEMBER 13, 1782.

Mr. Elmer, a delegate for New-Jersey, attended and took his seat.

On a report from the secretary at war,

Resolved, That every officer whose duty requires his being on horseback, who shall have his horse killed or wounded and disabled by the enemy, or whose horse shall fall

fall into the enemy's hands without his own manifeſt fault or miſconduct, ſhall be entitled to receive of the quartermaſter general or his deputy, the juſt value of ſuch horſe, to be appraiſed on oath, or on the honour of the appraiſers, if commiſſioned officers, provided the ſame does not exceed one hundred and twenty dollars; provided alſo, that if the wounded or diſabled horſe be brought off, he ſhall be delivered to ſome officer in the quartermaſter's department, whoſe certificate ſhall be neceſſary to entitle the owner to compenſation; provided alſo, that before any compenſation ſhall be made for horſes loſt in manner before mentioned, the neceſſary facts ſhall be proved to the ſatisfaction of the quartermaſter general or his deputy, to whom application ſhall be made relative to any ſuch loſſes as have already happened, and in future, by the certificate upon honour of at leaſt one commiſſioned officer, or the oath of a non-commiſſioned officer or ſoldier not intereſted therein, counterſigned by the commanding officer of the army, brigade, corps or detachment, to which the claimant did at the time belong, unleſs he be the general commanding where the loſs accrued, in which caſe his own certificate upon honour ſhall entitle him to compenſation in manner aforeſaid. This reſolution to have a retroſpect to the firſt day of January, 1779: this reſolution not to extend to officers who have already received compenſation for horſes loſt ſince that day.

The ſecretary at war, to whom was referred ſo much of a petition of Belamy Crawford, as relates to cloathing, rations, ſubſiſtance and extraordinary expences, while a priſoner at Charleſtown, having reported thereon:

Ordered, That the ſaid petition, ſo far as referred to the ſecretary at war, be diſmiſſed.

Congreſs proceeded by ballot to ſettle the rank of the two judges of the court of appeals, elected on the 5th, and the lots being drawn, the precedence was decided in favour of Mr. Reed.

MONDAY, DECEMBER 16, 1782.

On motion of Mr. Peters, ſeconded by Mr. M'Kean,

Reſolved, That the honourable the executive of the ſtate of Delaware, be and hereby are requeſted to give the neceſſary directions for providing quarters for the troops of His Moſt Chriſtian Majeſty, ſerving with the army

army of the United States, now on their march for Wilmington.

On the report of a committee, consisting of Mr. Hamilton, Mr. Madison and Mr. Fitzsimmons:

Whereas it is essential to justice and to the preservation of public credit, that whenever a nation is obliged by the exigencies of public affairs to contract a debt, proper funds should be established, not only for paying the annual value or interest of the same, but for discharging the principal within a reasonable period, by which a nation may avoid the evils of an excessive accumulation of debt; therefore,

Resolved, That whenever the neat produce of any funds recommended by Congress and granted by the states, for funding the debt already contracted, or for procuring future loans for the support of the war, shall exceed the sum requisite for paying the interest of the whole amount of the national debt, which these states may owe at the termination of the present war, the surplus of such grants shall form a sinking fund, to be inviolably appropriated to the payment of the principal of the said debt, and shall on no account be diverted to any other purpose.

And in order that the several states may have proper information of the state of their finances, it is further

Resolved, That as soon as the public debt can be liquidated, each state be annually furnished with the amount thereof and the interest thereon, and also of the proceeds and disposition of the funds provided for the redemption thereof.

Resolved, That the faith of the United States be pledged for the observance of the foregoing resolution; and that if any state shall think it necessary to make it a condition of their grants, the same will be considered by Congress as consistent with their resolution of the 3d of February, 1781.

TUESDAY, DECEMBER 17, 1782.

The committee, consisting of Mr. Hamilton, Mr. Madison and Mr. Fitzsimmons, to whom was referred a motion of Mr. Clarke, report as their opinion, that the deputation appointed to go to the state of Rhode Island, ought to proceed as soon as possible.

Resolved, That Congress agree to the said report.

WEDNESDAY,

WEDNESDAY, DECEMBER 18, 1782.

Mr. J. Montgomery, a delegate for Pennſylvania, attended and took his ſeat.

On the report of a committee, conſiſting of Mr. Carroll, Mr. Williamſon and Mr. Wharton, to whom was referred a letter from G. Bond;

Reſolved, That the ſuperintendant of finance take order for the payment of four hundred dollars to George Bond, deputy ſecretary of Congreſs, for extra ſervice.

On the report of a committee, conſiſting of Mr. Ramſay, Mr. Naſh and Mr. Peters, to whom was referred a letter of 22d November, from E. Hazard and J. Bryſon, relative to an explanation of the reſolution of Congreſs of the 12th of December, 1780:

Reſolved, That the auditors of accounts, in ſettling the accounts of the poſt office department, be authoriſed to give the ſame retroſpect to the allowance for travelling expences as to the yearly ſalary of the ſurveyors of the poſt-roads.

The ſecretary at war, to whom were referred ſundry charges againſt S. Hodgdon, late commiſſary of military ſtores, a petition of Mary Coren and an affidavit of J. Hall, reſpecting the conduct of the ſaid Hodgdon, with orders to proceed by court of enquiry or court martial, againſt the ſaid Hodgdon, in order that he may be acquitted or condemned, according to the law martial, of the charges exhibited againſt him; having laid before Congreſs the proceedings of a court of enquiry appointed purſuant to the above orders; and the ſaid proceedings and report of the ſaid court being read,

Ordered, That the charges abovementioned be diſmiſſed.

A motion being before the houſe in the words following;

"That the ſecretary for foreign affairs be diſcharged from the inſtruction given him on the 12th inſtant, Mr. Howell, a delegate from the ſtate of Rhode-Iſland, having acknowledged himſelf the author of the extract of the letter quoted in the report of the committee."

A motion was made by Mr. Howell to poſtpone the conſideration of the motion before the houſe, to make way for one he read in his place in the words following:

David Howell, of Providence, in the ſtate of Rhode-Iſland and Providence Plantations, now a delegate in Congreſs for ſaid ſtate, having in his place made the following declaration, viz. That

That he hath, in ſundry letters to his conſtituents, written largely on the public affairs, both foreign and domeſtic, of the United States, particularly in a letter of fifteen pages, in folio, directed to his excellency William Greene, eſquire, governor of ſaid ſtate, and in another, leſs copious, directed to John Carter, eſquire, printer of the Providence Gazette; from one of which, he doubts not, was extracted a certain paragraph in the Providence Gazette of the 2d day of November laſt, as follows, viz.

"This day letters have been read in Congreſs from Mr. Adams, of the 16th of Auguſt,—Mr. Dumas, his ſecretary, of the 19th. The loan he is negociating fills as faſt as could be expected * * * * The national importance of the United States is conſtantly riſing in the eſtimation of European powers and the civilized world * * * * * Such is their credit that they have of late failed in no application for foreign loans, and the danger on that ſcore is, that of contracting too large a debt." * * * * * * * * * * * *deſunt non nulla* * * * * * * *

But not having copies of ſaid letters, he is at preſent unable to identify the words and ſentences: the ſubſtance he avows to have written, not only in ſaid letters, but others on ſundry occaſions. At the ſame time abſolutely proteſting generally againſt any power exerciſed or claimed by Congreſs, to call any member of their body to account for any information which he may think proper to communicate to his conſtituents (the ſecrets only of Congreſs excepted) and more eſpecially againſt any power in the preſent Congreſs to call to account a member of the late Congreſs. Further alledging and proteſting, that the reſolve of the day of December inſtant, appointing a committee of Congreſs on late publications, is a departure from the dignity of Congreſs, and tends to eſtabliſh a precedent dangerous to the freedom of the preſs, the palladium of liberty, civil and religious: and that the reſolve of the day of December inſtant, accepting the report of ſaid committee, againſt a certain paragraph in a news-paper, and demanding the writer thereof to be delivered up by the executive of the ſtate of Rhode-Iſland, is in effect an infraction of the fifth article of the confederation, which allows freedom of ſpeech and debate in Congreſs, and of courſe a free communi-

cation

cation of ſuch ſpeeches and debates, to their conſtituents, by the members of Congreſs, without being accountable to that body for the propriety of what is ſaid, debated or communicated; and declaring that the facts ſtated in ſaid paragraph, reſpecting foreign loans, are ſubſtantially true, and can be eſtabliſhed by authentic documents, in poſſeſſion of Congreſs, there having been no eventual and final failure in any late application; that the opinions advanced, were ſuch as he entertained and declared on the floor of Congreſs, when the ſum of a foreign loan was agitated, as the yeas and nays on the journal will manifeſt, and ſuch as he ſtill retains, and in which he is not alone; that great injuſtice may be done to the moſt cautious writer, by publiſhing a ſingle paragraph only of a letter (of which however he does not in this caſe complain) and ſtill greater by a committee of Congreſs reporting only a part of ſuch paragraph, and thereby fixing it on the journals in ſuch a detached and maimed condition, of which he does complain; and alledges, that ſuch proceeding threatens the privileges and endangers the characters of members of Congreſs; that ſuch a mode of inquiſition, eſtabliſhed by authority of Congreſs, has a tendency to erect a ſyſtem of deſpotiſm, by detering the minority from writing freely to their conſtituents ſuch things as they have a right to know, leſt their letters ſhould be intercepted, publiſhed and in detached paragraphs injuriouſly fixed on the journals of Congreſs by an overbearing majority; that it is well known that in his private opinion he is, has been, and has a right to be againſt the five per cent. impoſt; his conſtituents expected him to oppoſe it, that he has been faithful to them in that particular will not be denied. He is happy to find that the ſtate he has the honor to repreſent has unanimouſly rejected that dangerous meaſure, by a ſolemn determination of the lower houſe of aſſembly on the firſt day of November laſt, fifty three members being preſent. If the part he has taken in that regard, has drawn on him the reſentment of any, he will endeavour to ſuſtain it with a fortitude becoming the cauſe of freedom and his country, which in every part of his conduct he has uniformly ſupported, and for proof, appeals to the journals of Congreſs. His conſtituents have hitherto approved his conduct, and he truſts they will not fail to ſupport him. He conſiders himſelf as their

ſervant

ſervant, and to them alone he is accountable for his doings; and under them the ſervant of the United States, and not the ſervant of Congreſs. The declaration and proteſt aforegoing, being duly conſidered,

Reſolved, That the reſolution of in the words following, viz. "Reſolved that the ſecretary for foreign affairs be inſtructed to write to the executive of Rhode-Iſland, requeſting them to enquire through what channel the above communication was made, or who is the ſuppoſed author of the extract referred to, and report accordingly" be and the ſame is hereby revoked.

This motion of Mr. Howell being ſeconded by Mr. Arnold, and on the queſtion to agree to it, the yeas and nays being required by Mr. Howell,

New-Hampſhire,	Mr. Gilman	no	no
	Mr. White	no	
Maſſachuſetts,	Mr. Oſgood	no	no
	Mr. Gorham	no	
Rhode Iſland,	Mr. Collins	ay	ay
	Mr. Arnold	ay	
	Mr. Howell	ay	
New-York,	Mr. Floyd	no	no
	Mr. Hamilton	no	
New-Jerſey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
Pennſylvania,	Mr. Fitzſimmons	no	no
	Mr. Peters	no	
	Mr. Montgomery	no	
Delaware,	Mr. M'Kean,	no	*
Maryland,	Mr. Carroll	no	*
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
North-Carolina,	Mr. Naſh	no	no
	Mr. Williamſon	no	
	Mr. Blount	no	
South-Carolina,	Mr. Ramſay	no	no
	Mr. Izard	no	
	Mr. Gervais	no	

So it paſſed in the negative.

A queſtion was then taken on the motion before the houſe; whereupon it was

Reſolved, That the ſecretary for foreign affairs be discharged from the inſtruction given him on the 12th inſtant,

ſtant, Mr. Howell, a delegate from the ſtate of Rhode-Iſland, having acknowledged himſelf the author of the extract of the letter quoted in the report of the committee of that day.

A motion was then made by Mr. Hamilton, ſeconded by Mr. Carroll, in the words following:

"Congreſs having in reſpect to the articles of confederation, admitted on their journals an entry of a motion made by Mr. Howell, ſeconded by Mr. Arnold, highly derogatory to the honour and dignity of the United States in Congreſs aſſembled:

Reſolved, That a committee be appointed to report ſuch meaſures as it will be proper for Congreſs to take thereupon."

A motion was made by Mr. Arnold, ſeconded by Mr. Howell, to ſtrike out the words "highly derogatory to the honour and dignity of the United States in Congreſs aſſembled:"

And on the queſtion, ſhall the words moved to be ſtruck out ſtand, the yeas and nays being required by Mr. Arnold:

New-Hampſhire,	Mr. Gilman	*ay*	*ay*
	Mr. White	*ay*	
Maſſachuſetts,	Mr. Oſgood	*ay*	*ay*
	Mr. Gorham	*ay*	
Rhode-Iſland,	Mr. Collins	*no*	*no*
	Mr. Arnold	*no*	
	Mr. Howell	*no*	
New-York,	Mr. Floyd	*ay*	*ay*
	Mr. Hamilton	*ay*	
New-Jerſey,	Mr. Boudinot	*ay*	*ay*
	Mr. Clarke	*ay*	
Pennſylvania,	Mr. Fitzſimmons	*ay*	*ay*
	Mr. Peters	*ay*	
	Mr. Montgomery	*ay*	
Delaware,	Mr. M'Kean	*ay*	*
Maryland,	Mr. Carroll	*ay*	*
Virginia,	Mr. Jones	*ay*	*ay*
	Mr. Madiſon	*ay*	
North-Carolina,	Mr. Naſh	*ay*	*ay*
	Mr. Williamſon	*ay*	
	Mr. Blount	*ay*	
South-Carolina,	Mr. Ramſay	*ay*	*ay*
	Mr. Izard	*ay*	
	Mr. Gervais	*ay*	

So it was reſolved in the affirmative.

Mr.

On the queſtion to agree to the motion, reſolved in the affirmative.

Members choſen for the foregoing committee, Mr Gilman, Mr. Hamilton and Mr. Madiſon.

THURSDAY, DECEMBER 19, 1782.

Ordered, That the order of the day for electing a ſecretary for foreign affairs, be poſtponed till Thurſday next.

On the report of a committee, conſiſting of Mr. Clarke, Mr. Fitzſimmons and Mr. Carroll, to whom was referred a letter of the 12th from the ſecretary at war, reſpecting the pay of artificers in colonel Baldwin's regiment:

Reſolved, That all the artificers, who have not been ſettled with up to the laſt day of December, 1781, be ſettled with for pay and depreciation from the firſt day of Auguſt, 1780, to the laſt day of December, 1781, at the rate of twelve dollars per month, and upon ſuch ſettlement receive their dues in funded certificates.

The committee, conſiſting of Mr. Ramſay, Mr. Naſh, and Mr. Peters, to whom was recommitted the draught of a ſupplementary ordinance for regulating the poſt-office, reported another draught, which was read a firſt time, and to morrow aſſigned for the ſecond reading.

FRIDAY, DECEMBER 20, 1782.

On the report of the committee, appointed to report ſuch meaſures as it will be proper for Congreſs to take in conſequence of the motion made by Mr. Howell on the 18th inſtant:

Reſolved, That the ſaid motion, with the preceding reſolutions of Congreſs, to which it refers, be tranſmitted by the ſecretary for foreign affairs to the executive authority of the ſtate of Rhode Iſland, with an authenticated ſtate of the ſeveral applications for foreign loans, and the reſult thereof.

On the report of a committee, conſiſting of Mr. Madiſon, Mr. Peters and Mr. Gilman, to whom were referred letters of Jacob Cuyler and Iſaac Tichenor, on the ſubject of ſuits brought againſt the ſaid Tichenor, for debts contracted by him on account of proviſions furniſhed the troops in the ſervice of the United States:

Reſolved,

Reſolved, That copies of the letters of Jacob Cuyler and Iſaac Tichenor, relative to ſuits brought againſt the ſaid Tichenor, in New-Hampſhire, for debts contracted by him for ſupplies purchaſed for the ſervice of the United States, be tranſmited to and recommended to the attention of the ſaid ſtate.

Mr. Elſworth and Mr. Wolcott, two delegates for the ſtate of Connecticut, attended and produced credentials; which were read, and by which it appears, that on the ſecond Thurſday of May, 1782, the day appointed by law for the choice of delegates, Samuel Huntington, eſquire, Oliver Elſworth, eſquire, Richard Law, eſquire, Jeſſe Root, eſquire, Oliver Wolcott, eſquire, Benjamin Huntington, eſquire, and Jedediah Strong, eſquire, were elected delegates to repreſent that ſtate in the Congreſs of the United States.

The ſupplementary ordinance for regulating the poſt-office was read a ſecond time, and Monday next aſſigned for the third reading.

SATURDAY, DECEMBER 21, 1782.

Mr. Hawkins, a delegate for the ſtate of North-Carolina, attended and took his ſeat in Congreſs.

The committee, conſiſting of Mr. Madiſon, Mr. Rutledge and Mr. Gilman, appointed to confer with the ſecretary for foreign affairs, on the ſubject of his department, report, "that he is willing, if it be the deſire of Congreſs, to remain in the ſaid department until the enſuing ſpring, but that it will be neceſſary for him to make a ſhort viſit to the ſtate of New-York in the month of January, which the committee think will not, probably interfere with the public buſineſs:" whereupon

Reſolved, That the election of a ſecretary for foreign affairs be poſtponed until the firſt Monday in May next; and that Mr. Livingſton be requeſted to continue to diſcharge the duties of that department until ſuch election ſhall be made; and that he have leave of abſence, for the purpoſe of making a viſit to the ſtate of New York.

On the report of the ſuperintendant of finance, to whom was referred a report of a committee, on a letter of the ſecond of Auguſt from the ſaid ſuperintendant:

Reſolved, That the commiſſioners for ſettling accounts, according to the act of the 20th of February laſt, do receive lottery tickets as vouchers for the prizes which may have been drawn to ſuch tickets, and certify the ſame as

debt

debts of the United States, at and after the rate of one dollar in ſpecie for every forty dollars of ſuch prizes.

On the queſtion to agree to the above, the yeas and nays being required by Mr. Gilman,

New-Hampſhire,	Mr. Gilman	no	no
	Mr. White	no	
Maſſachuſetts,	Mr. Gorham	no	*
Rhode-Iſland,	Mr. Collins	ay	*
Connecticut,	Mr. Elſworth	no	no
	Mr. Wolcott	no	
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Elmer	ay	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Montgomery	ay	
Delaware,	Mr. M'Kean	ay	ay
	Mr. Wharton	ay	
Maryland,	Mr. Carroll	ay	*
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
	Mr. Blount	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Ramſay	ay	
	Mr. Izard	ay	
	Mr. Gervais	ay	

So it was reſolved in the affirmative.

MONDAY, DECEMBER 23, 1782.

The committee, conſiſting of Mr. Madiſon, Mr. Hamilton and Mr. M'Kean, to whom were referred a letter from major general Greene, of the 28th of October laſt, and ſundry papers accompanying the ſame, having made the following report:

"That it appears from the papers referred, that the executive authority of the ſtate of South-Carolina, had claimed in behalf of the original owners, citizens of the ſaid ſtate, ſundry horſes recaptured on land, from the enemy, by a detachment of the forces of the United States, on the general principle that original owners are entitled to reſtitution of all recaptured property; that a

council

council of war, to which the ſaid claim was referred by major general Greene, had decided againſt its validity, and that he has finally ſubmitted the caſe to Congreſs.

On this ſubject the committee beg leave to obſerve, that by the 9th of the articles of confederation, the United States in Congreſs aſſembled are inveſted with the ſole and excluſive right and power *inter alia*, of eſtabliſhing rules for deciding in all caſes what captures on land or water ſhall be legal, and in what manner prizes taken by land, or naval forces in the ſervice of the United States, ſhall be divided or appropriated, which power, as it involves that of deciding on the right of the enemy to the property captured, neceſſarily extends to caſes of recapture:

That with reſpect to captures and recaptures on water, general proviſion hath been made by ſeveral ordinances and acts of Congreſs:

That with reſpect to captures on land, partial proviſion only hath been made; and for caſes of recapture on land, no proviſion at all, it having been left to the diſcretion of the military commanders to conform, in the caſes omitted, to the general rules of juſtice and the cuſtoms of war, as obſerved by civilized nations:

That the particular caſe in queſtion, having been decided in the mode practiſed in the army in like inſtances, cannot with propriety be rejudged by Congreſs, to whom is delegated in caſes of capture, a legiſlative only, and not a judiciary authority:

That nevertheleſs, ſince it is both the duty and diſpoſition of Congreſs, to render the arms of the United States as ſubſervient as poſſible to the juſt intereſts of individuals, as well as to the general defence; and ſince reſtitution has been ordained to the original owners, in caſes of recapture on water of property previouſly captured by the enemy on land, the committee are of opinion, that it is expedient to remit in favour of the original owners, the property recaptured by colonel Koſciuizko and retained for the uſe of the United States.

Upon this view of the ſubject, the committee propoſe the following reſolutions:

1ſt. That Congreſs approve of the ſteps taken by major general Greene, in the caſe of the property recaptured on land by colonel Koſciuizko, and claimed in behalf of the original owners, by the executive authority of the

ſtate

ſtate of South-Carolina, as ſtated in his letter of the 28th of October laſt:

2d. That ſo much of the property recaptured as aforeſaid, and accruing to the uſe of the United States, as ſhall be ſatisfactorily proven to have been captured from inhabitants of the United States, be remitted to the original proprietors, excepting only ſo much, or the value thereof, not exceeding one fourth of the whole value, as the ſaid major general Greene may have promiſed, or may be deemed by him a proper compenſation to the recaptors:

3d. That leave be given to the committee to report an ordinance declaring in all caſes what captures on land ſhall be legal, and in what manner the ſame ſhall be divided or appropriated.

The queſtion being taken on the firſt reſolution,

Reſolved in the affirmative.

When the ſecond was under conſideration,

A motion was made by Mr. Rutledge, ſeconded by Mr. Gervais, to ſtrike out the words "and accruing to the uſe of the United States:"

And on the queſtion, ſhall thoſe words ſtand, the yeas and nays being required by Mr. Gervais,

New-Hampſhire,	Mr. Gilman	*ay*	*ay*
	Mr. White	*ay*	
Rhode Iſland,	Mr. Collins	*ay*	*no*
	Mr. Arnold	*no*	
	Mr. Howell	*no*	
Connecticut,	Mr. Elſworth	*ay*	*ay*
	Mr. Wolcott	*ay*	
New-York,	Mr. Floyd	*no*	*divided*
	Mr. Hamilton	*ay*	
New-Jerſey,	Mr. Boudinot	*ay*	*ay*
	Mr. Clarke	*ay*	
	Mr. Elmer	*ay*	
Pennſylvania,	Mr. Fitzſimmons	*ay*	*ay*
	Mr. Peters	*ay*	
	Mr. Montgomery	*ay*	
Delaware,	Mr. M'Kean	*ay*	*ay*
	Mr. Wharton	*ay*	
Maryland,	Mr. Carroll	*ay*	*
Virginia,	Mr. Jones	*ay*	*ay*
	Mr. Madiſon	*ay*	
North-Carolina,	Mr. Hawkins	*no*	*ay*
	Mr. Williamſon	*ay*	
	Mr. Blount	*ay*	

South-Carolina,

South Carolina,	Mr. Rutledge	no	no
	Mr. Ramsay	no	
	Mr. Izard	no	
	Mr Gervais	no	

So it was resolved in the affirmative.

TUESDAY, DECEMBER 24, 1782.

Congress resumed the consideration of the resolution under debate yesterday; and on the question to agree thereto,

Resolved in the affirmative.

A question being taken on the third resolution,

Resolved in the affirmative.

The supplementary ordinance for regulating the post-office was read a third time, and passed as follows:

An ordinance for amending an ordinance for regulating the post-office of the United States of America:

WHEREAS it hath been represented to Congress, since passing the ordinance for regulating the post-office of the United States of America, that sundry alterations therein, and additions thereto, are necessary:

Be it ordained by the United States in Congress assembled, and it is hereby ordained by authority of the same, That the privilege of franking letters, be and the same is hereby extended to the inspector general, the adjutant general, the director of the hospitals, the quartermaster general, the commissary of prisoners and the paymaster general, of the army of the United States; and that the same privilege be, and the same is hereby extended to the officers at the heads of the like departments in any separate army; all letters to and from whom, on public business, shall pass free of postage; and in order to prevent the multiplicity of franks becoming too burthensome to the public;

Be it ordained and it is hereby ordained by the authority aforesaid, That the allowance not exceeding twenty per cent. on what would be the postage of free letters if they were charged, be discontinued, and that the public be charged with no farther commissions on free letters, though they contain enclosures, than the officers of the post office would be entitled to on the postage of the same number of single letters coming the same distance:

And be it ordained by the authority aforeſaid, That the clauſe in the ordinance of the 18th of October laſt, which directs the poſtmaſter general and his deputies to furniſh extraordinary expreſſes, be and the ſame is hereby repealed.

Done, &c.

Reſolved, That the quartermaſter general furniſh all extraordinary expreſſes when the ſervice requires them, any ordinance or reſolution of Congreſs to the contrary notwithſtanding.

On motion of Mr. Rutledge, ſeconded by Mr. Fitzſimmons,

Reſolved, That the poſtmaſter general be directed to continue the ſouthern poſt to Savannah in Georgia; and that the ſuperintendant of finance furniſh the money neceſſary for that purpoſe.

Congreſs having received information that the ſtate of Virginia has repealed its law agreeing to the duty on imports and prizes,

Reſolved, That the deputation to Rhode-Iſland be for the preſent ſuſpended; and that a committee be appointed to report ſuch further meaſures as it may be proper for Congreſs to take upon the ſubject at large.

FRIDAY, DECEMBER 27, 1782.

Mr. Condict, a delegate for New-Jerſey, attended and took his ſeat:

On a report from the ſecretary for foreign affairs, to whom were referred ſundry letters from doctor Franklin and Mr. J. Adams;

Reſolved, That doctor Franklin be informed that the allowance he has heretofore made and now makes to Mr. William Temple Franklin, acting in the character of his ſecretary, meets the approbation of Congreſs; and that his future allowance be three hundred louis d'ors per annum, until the farther order of Congreſs.

Reſolved, That Mr. Adams be informed that Congreſs agree to the purchaſe he has made of a houſe at the Hague, on account of the United States, and direct him to take meaſures for transferring to them the title thereof. That on his furniſhing an account of the balance ſtill due on ſuch purchaſe, the ſuperintendant of finance take order for the payment thereof.

MONDAY,

MONDAY, DECEMBER 30, 1782.

His excellency the president having informed Congress that the honourable T. Jefferson was arrived in town:

Ordered, That Mr. Jefferson have access to the several offices of Congress, in order that he may gain a knowledge of the affairs of the United States, and prepare himself for the execution of the trust reposed in him.

The committee, consisting of Mr. Hamilton, Mr. Clarke and Mr. Carroll, to whom was referred a letter of the 5th from major general the baron de Steuben, having conferred with him thereupon, submit to the consideration of Congress the following facts, resulting from the communications made to them, supported by the testimonials of the commander in chief and many other principal officers of the army:

First. That the baron de Steuben was in Europe possessed of respectable military rank, and different posts of honour and emolument, which he relinquished to come to America and offer his services at a critical period of the war, and without any previous stipulations:

Secondly. That on his arrival he actually engaged in the army in a very disinterested manner, and without compensations similar to those which had been made to several other foreign officers:

Thirdly. That under singular difficulties and embarrassments in the department in which he has been employed, he has rendered very important and substantial services, by introducing into the army a regular formation and exact discipline, and by establishing a spirit of order and œconomy in the interior administration of the regiments; which, besides other advantages, have been productive of immense savings to the United States; that in the commands in which he has been employed, he has upon all occasions conducted himself like a brave and experienced officer: the committee are therefore of opinion, that the sacrifices and services of the baron de Steuben, justly entitle him to the distinguished notice of Congress, and to a generous compensation, whenever the situation of public affairs will admit: the committee farther report, that the baron de Steuben has considerable arrearages of pay due to him from these states on a liquidated account, and that having exhausted his re-

sources

ſources in paſt expences, it is now indiſpenſible that a ſum of money ſhould be paid him for his preſent ſupport, and to enable him to take the field another campaign, and propoſe that the ſum of two thouſand four hundred dollars be paid to him for that purpoſe, and charged to his account aforeſaid; whereupon,

Reſolved, That the foregoing propoſal of the committee be referred to the ſuperintendant of finance to take order.

The committee farther obſerving, that from the nature of the department in which the baron de Steuben is employed, he is under the neceſſity of making frequent journies, by which he incurs an additional expence, and is often deprived of the allowance of forage to which he is entitled; thereupon,

Reſolved, That the baron de Steuben be allowed three hundred dollars per month, in lieu of his extra pay and of ſubſiſtance and forage for himſelf and family, including waggon as well as ſaddle horſes; and that theſe allowances hereafter ceaſe.

On the report of a committee, conſiſting of Mr. Fitzſimmons, Mr. Madiſon and Mr. Rutledge, to whom were referred a letter of October the 9th from major general Greene, and one of the 5th from brigadier general Wayne, with ſundry papers encloſed:

Whereas brigadier general Wayne, commanding a detachment of the army of the United States, did, as appears by his proclamation of the 9th day of Auguſt laſt, with the advice and approbation of the governor and executive of the ſtate of Georgia, enter into certain articles of agreement with ſundry merchants, ſubjects of the crown of Great Britain, then reſiding in Savannah, whereby it was provided that the ſaid merchants ſhould be permitted to remain unmoleſted with their effects, and to diſpoſe thereof to the citizens of the United States, and after having ſo diſpoſed of them, to export produce of the ſtate of Georgia, to the amount of the goods ſo diſpoſed of, to the next Britiſh poſt.

Reſolved, That the convention or agreement entered into between brigadier general Wayne and ſundry inhabitants of the town of Savannah, ſubjects of the crown of Great-Britain, reſpecting the ſafety of their perſons and property, and the exportation of produce of the ſtate of Georgia, to the amount of the goods which they have

have or may diſpoſe of to the citizens of the United States, to the neareſt Britiſh poſt, be and is hereby ratified; and that all commanders of armed veſſels, in the ſervice of the United States, or belonging to any of the inhabitants thereof, do pay due regard to the paſſports which have or ſhall be given by the governor of the ſtate of Georgia for the purpoſes aforeſaid.

TUESDAY, DECEMBER 31, 1782.

Mr. Howell, a delegate for Rhode-Iſland, having requeſted that the letters of the 8th of April and 12th of Auguſt laſt, from doctor Franklin to the ſuperintendant of finance, which were read in Congreſs the 27th inſtant, be ſent for; and the ſame being laid before Congreſs and read,

Ordered, That the ſuperintendant of finance lay before Congreſs ſuch extracts from doctor Franklin's letters of the 8th of April and 12th of Auguſt laſt, as Mr. Howell ſhall point out to him.

On the report of a committee, conſiſting of Mr. Fitzſimmons, Mr. Madiſon and Mr. Hamilton, to whom were referred letters of the 22d and 24th from the ſecretary at war:

Reſolved, That the reſolutions of the 7th of Auguſt laſt, ſo far as relates to the lines of New-Hampſhire, Rhode-Iſland and New-Jerſey, be ſuſpended till the firſt day of March next: and alſo, as to the Pennſylvania line, ſo far as to retain in ſervice only the officers neceſſary to the compleating of three regiments.

Reſolved, That brigadier general Hand be and he is hereby continued in the office of adjutant general.

WEDNESDAY, JANUARY 1, 1783.

On a report of the ſecretary for foreign affairs:

The miniſter plenipotentiary of His Moſt Chriſtian Majeſty having communicated to Congreſs, through the ſecretary for foreign affairs on the 7th inſtant, the reſolution taken to embark the army under the command of the count de Rochambeau, and on the 29th their having actually embarked and ſailed; together with his Majeſty's intention to direct them to return whenever an object ſhould offer in which they might effectually co-operate with the troops of the United States:

Reſolved,

Reſolved, That the ſecretary for foreign affairs inform the miniſter of France, that though Congreſs cannot ſee without regret, the departure of an army to whoſe bravery and good conduct they are ſo greatly indebted for the reduction of the enemy's force in this country, yet that they have too much confidence in the attention of his Majeſty to the intereſts of the alliance, not to be perſuaded that the order for their departure was dictated by a conviction that they could elſewhere be more uſefully employed againſt the common enemy:

That they wiſh him to make known to his Majeſty the grateful ſenſe they entertain of his attention to their immediate intereſt, manifeſted in the important aid thus long afforded them, and in his generous determination to direct his troops to return to this country whenever circumſtances will admit of an advantageous co-operation with the arms of the United States; that they deſire through him, to recommend in a particular manner the count de Rochambeau and the army under his command, to the favour of his Majeſty, having the higheſt reaſon to be ſatisfied with their bravery and good conduct, and with that ſtrict diſcipline to which they are indebted for the perfect harmony which has ſo happily ſubſiſted between them and the ſoldiers and citizens of the United States.

Reſolved, That the preſident make the acknowledgments of Congreſs in a particular manner to his excellency the count de Rochambeau, and ſignify to him the high ſenſe they entertain of the diſtinguiſhed talents diſplayed by him, with ſo much advantage to theſe ſtates, in the moſt important conjunctures, as well as of the ſtrict and examplary diſcipline which have been uniformly conſpicuous in the troops under his command, and which have deſervedly acquired the admiration and eſteem of the citizens of theſe ſtates, by whom his ſignal ſervices, and the delicate attention at all times paid to their private rights, will ever be held in affectionate remembrance.

THURSDAY, JANUARY 2, 1783.

Mr. Wilſon, a delegate for the ſtate of Pennſylvania, attended and took his ſeat.

The ſuperintendant of finance, having, purſuant to the order of the 31ſt of laſt month, laid before Congreſs copies

pies of the letters of the 8th of April and 21ſt of Auguſt laſt, from doctor Franklin.

On the requeſt of Mr. Howell,

Ordered, That the ſaid copies be delivered to him.

FRIDAY, JANUARY 3, 1783.

On the report of the ſecretary for foreign affairs, to whom was referred a communication from the honourable the miniſter plenipotentiary of France;

Reſolved, That the ſecretary for foreign affairs inform the miniſter of France, that Congreſs learn with great pleaſure that the ſteps taken by Congreſs and the reſpective ſtates, their conſtituents, in oppoſition to the attempts of the Britiſh court to bring about a partial negociation, has been ſatisfactory to His Moſt Chriſtian Majeſty: that his Majeſty's conduct, in the progreſs of the negociations commenced in Europe, as it has been communicated to Congreſs, is ſufficient to inſpire a juſt abhorrence of every act derogatory to the principles of the alliance, and ſerves to fortify the reſolutions which his repeated acts of friendſhip, and a ſenſe of their own honour and dignity, had dictated to the United States in Congreſs aſſembled, and the ſtates they repreſent.

The COURT conſtituted in purſuance of the ninth article of the confederation, to hear and finally determine the diſpute between the ſtates of Pennſylvania and connecticut, reſpecting certain lands, having heard and adjudged the ſaid diſpute, returned to Congreſs their proceedings and final ſentence and decree:

Ordered, That in purſuance of the ſaid articles of confederation, the proceedings and final ſentence and decree of the ſaid court, be lodged among the acts of Congreſs.

The commiſſion to the judges was returned with the following endorſement:

"The Execution of this Commiſſion appears by the ſchedule to the ſame annexed.

Wm. WHIPPLE, (L. S.)
WELCOME ARNOLD, (L. S.)
Wm. C. HOUSTON, (L. S.)
CYRUS GRIFFIN, (L. S.)
DAVID BREARLY, (L. S.)"

The Schedule annexed is in the words and figures following——

PROCEEDINGS

PROCEEDINGS

Of the Court of COMMISSIONERS, holden at Trenton in the ſtate of New-Jerſey, the 12th of November, 1782, to determine a Controverſy ſubſiſting between the ſtate of Pennſylvania and the ſtate of Connecticut, relative to Diſputed Territory.

AT a Court of Commiſſioners, holden at Trenton in the ſtate of New-Jerſey, on the twelfth day of November, in the year of our Lord one thouſand ſeven hundred and eighty-two, agreeably to the ninth article of the Confederation, and by virtue and in purſuance of the Commiſſion and Letters patent of the United States in Congreſs aſſembled, given under their Seal, and dated the twenty-eighth day of Auguſt, in the year aforeſaid, conſtituting and empowering the perſons therein named to hear and finally determine a Controverſy ſubſiſting between the ſtates of Pennſylvania and Connecticut, relative to their reſpective Rights and Claims to certain diſputed Lands.

Tueſday, 12th November, 1782.

PRESENT,

The Honorable { David Brearly, and / William Churchill Houſton, } Eſquires.

Proclamation for ſilence being made,

The commiſſion from the United States in Congreſs aſſembled, directing the ſitting of the court, was read in the words following, viz.

(Here follows the commiſſion as recited in the journal of the 28th of Auguſt laſt.)

The commiſſioners preſent took the oath preſcribed by the ninth article of the confederation, and recited in the commiſſion, before the honourable Iſaac Smith, eſquire, one of the juſtices of the ſupreme court of judicature of the ſtate of New-Jerſey, a certificate of which was endorſed on the commiſſion.

Adjourned till to-morrow morning ten of the clock.

The certificate endorſed on the commiſſion is as follows:

I, Iſaac Smith, eſquire, one of the juſtices of the ſupreme court of judicature of the ſtate of New-Jerſey, do hereby certify, that on the 12th day of November, in the year of our Lord one thouſand ſeven hundred and eighty-

eighty-two, perſonally appeared before me, the honourable David Brearly and William Churchill Houſton, eſquires, and were ſeverally ſworn well and truly to hear and determine the matter in queſtion between the ſtates of Pennſylvania and Connecticut, agreeably to the tenor of the within commiſſion, according to the beſt of their judgment, without favour, affection or hope of reward. Dated at Trenton the day and year above.

ISAAC SMITH.

Wedneſday, 13th November, 1782.

Then met purſuant to adjournment,

The honourable { David Brearly, and / William Churchill Houſton, } eſquires.

and not being a quorom to proceed on buſineſs,

Adjourned till to-morrow morning ten of the clock.

Thurſday, November 14, 1782.

Then met purſuant to adjournment,

The honourable { David Brearly, and / William Churchill Houſton, } eſquires.

Adjourned till to-morrow morning ten of the clock.

Friday, November 15, 1782.

Then met purſuant to adjournment,

The honourable { David Brearly and / William Churchil Houſton, } eſquires.

Adjourned till to-morrow morning ten of the clock,

Saturday November 16, 1782.

Then met purſuant to adjournment,

The honourable { David Brearly, and / William Churchill Houſton } eſquires.

Adjourned till Monday morning next ten of the clock.

Monday, 18th November, 1782.

The court met purſuant to adjournment and opened in form.

PRESENT,

The honourable { William Whipple, Welcome Arnold, David Brearly, William Churchill Houſton and Cyrus Griffin, } eſquires.

The honourable William Whipple, Welcome Arnold and Cyrus Griffin, eſquires, took the oath preſcribed by the ninth article of the confederation, and recited in the commiſſion, before the honourable David Brearly, eſquire, chief juſtice of the ſtate of New-Jerſey; a certificate whereof was endorſed on the commiſſion.

John Neilſon, eſquire, was appointed clerk.

The court adjourned till to-morrow morning ten of the clock.

The certificate endorſed on the commiſſion is as follows:

I, David Brearly, eſquire, chief juſtice of the ſtate of New Jerſey, do hereby certify, that on the eighteenth day of November, in the year of our Lord one thouſand ſeven hundred and eighty-two, perſonally appeared before me, the honourable William Whipple, Welcome Arnold and Cyrus Griffin, eſquires, and were ſeverally ſworn well and truly to hear and determine the matter in queſtion between the ſtates of Pennſylvania and Connecticut, agreeably to the tenor of the within commiſſion, according to the beſt of their judgment, without favour, affection or hope of reward. Dated at Trenton, the day and year above.

DAVID BREARLY.

Tueſday, 19th November, 1782.

The court met purſuant to adjournment.

PRESENT,

The honourable { William Whipple, preſident, Welcome Arnold, William Churchill Houſton, Cyrus Griffin, and David Brearly, } eſquires

John Neilſon, eſquire, took the oath of office as clerk of the court.

Proclamation

Proclamation was made for all perſons concerned to attend the court and be heard.

William Bradford, junior, Joſeph Reed, James Wilſon and Jonathan Dickinſon Sergeant, eſquires, appearing as agents, and Henry Oſborne, eſquire, as ſolicitor for the ſtate of Pennſylvania, produced their credentials and powers as recited in the journals of Congreſs, in theſe words:

[Here follows the powers as recited in the journal of Congreſs of the 16th of July, 1782.]

Which being read were accepted by the court, and their appearance accordingly entered for the ſtate of Pennſylvania.

Eliphalet Dyer, William Samuel Johnſon and Jeſſe Root, eſquires, appearing as agents for the ſtate of Connecticut, produced their credentials and powers as they here follow:

(L. S.) BE IT KNOWN, That we, the governor and company of the ſtate of Connecticut, in America, have authoriſed, conſtituted and appointed, and by theſe preſents do conſtitute, authoriſe and appoint the honourable Eliphalet Dyer, William Samuel Johnſon and Jeſſe Root, eſquires, our agents, procurators and attornies, in our name and behalf to appear, and us to repreſent, before the honourable court of commiſſioners, conſtituted, appointed and commiſſioned by the Congreſs of the United States, purſuant to the ninth article of confederation, to be holden at Trenton, in New-Jerſey, on the 12th day of November inſtant, and at all other times and places where ſaid court may be holden, to hear, judge and determine the controverſy ſubſiſting between the ſtate of Pennſylvania and the ſtate of Connecticut, reſpecting the title, juriſdiction, poſſeſſion and claim, to a certain territory of country, contained within the bounds and limits of the royal charter and patent of his majeſty king Charles the ſecond, to the governor and company of the late Engliſh colony of Connecticut, claimed by the ſtate of Pennſylvania. And we do by theſe preſents give and grant to our ſaid agents and attornies, the ſaid Eliphalet Dyer, William Samuel Johnſon and Jeſſe Root, eſquires, or either two of them, full and ample powers of attorney and procuration, for us and in our name and

and ſtead to purſue, implead, anſwer and defend, in all and ſingular the queſtions, matters and things that ſhall be moved or any way come before ſaid court, relative to the controverſy aforeſaid; and to ſolicit, move, act and tranſact, in all things whatſoever which ſhall be found requiſite and fitting, on the part of us the ſaid governor and company of the ſtate of Connecticut, as fully and in as ample a manner as we ourſelves might or could do, until final judgment ſhall be had and rendered in the premiſes. And we do hereby engage to hold good and valid in the law, what our ſaid attornies ſhall do in the premiſes in purſuance of the powers herein given to them, and the inſtructions they may from time to time receive from us, and to ratify and confirm the ſame, with power to employ council learned in the law as they ſhall judge needful. In teſtimony whereof, the governor has ſigned theſe our letters of attorney and procuration, and cauſed the ſeal of our ſaid ſtate to be affixed to them.

Done at Lebanon, in our ſaid ſtate, this firſt day of November, in the year of our Lord one thouſand ſeven hundred and eighty-two, and in the ſeventh year of the independence of the United States of America.

JONATHAN TRUMBULL.

By his excellency's command.

GEORGE WYLLIS ſecretary.

Which, being read, were accepted by the court, and their appearance accordingly entered for the ſtate of Connecticut.

A motion was made by the agents for the ſtate of Connecticut, that the petition preferred by the executive council of the ſtate of Pennſylvania to the United States in Congreſs aſſembled, praying that a court might be appointed for deciding the controverſy ſubſiſting between the ſaid ſtate and the ſtate of Connecticut, or an authentic copy thereof, ſhould be produced and read:

Which, after argument, was over-ruled by the court.

A motion in writing was then offered by the agents of the ſtate of Connecticut, in the words following:

Trenton, November, A. D. 1782.

State of New-Jerſey ſſ.

AT a court of commiſſioners for the trial of the cauſe between the ſtates of Connecticut and Pennſylvania, relative

lative to the jurisdiction and property in certain lands lying west of Delaware river, within the charter boundaries of said states.

The agents for the state of Connecticut, saving to themselves all advantages of other and further defence in said cause, beg leave to suggest, inform and give the court to understand, that there are many persons, who are tenants, in possession of the lands in controversy, holding, improving and claiming large quantities of said land, under titles from the states of Pennsylvania and Connecticut respectively, particularly the two large companies of Delaware and Susquehannah, consisting of more than two thousand persons, many of whose people are in, possessing, improving and holding large tracts of said lands in controversy, under title from the state of Connecticut, whose titles under said states respectively, will be materially affected by the decision in this case, yet have not been cited or any way legally notified to be present at said trial to defend their titles respectively, which, by the rules of proceeding in a course of justice, ought to be done before any further proceedings are had in said case; and thereupon said agents move this honourable court to cause said companies of Delaware and Susquehannah and other tenants in possession, holding under title from either of said states, to be duly cited in some proper and reasonable manner to appear and defend at said trial, if they see cause, before any farther proceedings are had in said cause; and of this they pray the opinion of this honourable court.

E. DYER,
Wm. S. JOHNSON,
J. ROOT,
} agents for Connecticut.

After argument, the court adjourned till to-morrow ten of the clock.

Wednesday, 20th November, 1782.

The court met—Present as yesterday.

The court gave their opinion on the motion of yesterday, made in writing by the agents of Connecticut:

That the same cannot be admitted according to the construction of the ninth article of the confederation, and the tenor and design of the commission under which they act.

A motion was made by the agents for the ſtate of Pennſylvania, in the words following:

NOVEMBER 20, 1782.

The agents of Pennſylvania, apprehending that the agents of Connecticut deſign to move the court to poſtpone or put off the determination of the cauſe now depending before them, do give notice to the ſaid agents for Connecticut, in the preſence of the court, that they, the ſaid agents of Pennſylvania, will oppoſe any motions of that nature being made after the evidence on the part of Pennſylvania has been opened, or the merits of the cauſe entered upon; and if the ſaid agents for Connecticut propoſe to make any ſuch motion, the agents for Pennſylvania do expreſs their willingneſs that time be given them for that purpoſe.

Wm. BRADFORD, junior
JOS. REED,
JAMES WILSON,
JON. D. SERGEANT.

The court adjourned till to-morrow morning ten of the clock.

Thurſday, 21ſt November, 1782.

The court met—Preſent as before.

A motion was made by the agents for the ſtate of Connecticut in theſe words:

Trenton, New-Jerſey, November, 1782.

Court of commiſſioners, caſe Pennſylvania v. Connecticut.

And now the agents of the ſtate of Connecticut, unwilling to give any unneceſſary delay, but conſidering the magnitude of this cauſe, its length and intricacy, and the high importance, that it ſhould be thoroughly inveſtigated, and not only juſtly determined, but in a manner ſatisfactorily to the parties concerned; and the ſtate of Pennſylvania not having yet filed any declaration or ſtate of their claim in this court, whereby the agents for Connecticut can know what the demands of Pennſylvania are, or what they have to anſwer to, and knowing that there are many exhibits and proofs, which will be eſſentially neceſſary in the courſe of ſaid cauſe, which we have not nor hath it been in our power to procure, viz. a certain original deed from the Indians, of

a

a large parcel of the lands in diſpute, obtained from their chiefs and ſachems at their council fire in Onondaga, in A. D. 1763, which is now in England, left there before the commencement of the preſent unhappy war, and which we have never ſince been able to obtain; and other neceſſary evidence and proofs, which on examination we find we are not at preſent poſſeſſed of, which may be wanted in the courſe of ſaid trial, and not yet knowing what conceſſions may be made on the part of Pennſylvania, do conſent to proceed in the trial of ſaid cauſe; at the ſame time reſerving to ourſelves the right of moving in any ſtage of ſaid trial, to have the ſame poſtponed, as the nature and exigencies of the caſe may require, and that the agents for Pennſylvania have on their part the ſame advantages, and that this motion be made parcel of the files of this honourable court.

E. DYER,
W. S. JOHNSON,
J. ROOT,
} agents for Connecticut.

Whereupon the agents for the ſtate of Pennſylvania moved as follows:

The agents of Pennſylvania, in anſwer to the written motion preferred by the agents of Connecticut, do ſay, that they are now ready, and have been for ſome time, to exhibit their claim on the part of Pennſylvania, but have been delayed by the expectation founded on the promiſe made in the preſence of the court by the agents of Connecticut, to file their claim at the ſame time. Yet they ſay in anſwer to that part of the ſaid motion, which claims the right of moving in any ſtage of the trial to have the ſame poſtponed, that the court ought not to hear and admit any motion to poſtpone the trial after the ſame has begun and proceeded to a hearing of the merits of the cauſe; and of this they pray the opinion of the court.

Wm. BRADFORD, junior.
JOS. REED,
JAMES WILSON,
JONA. D. SERGEANT,

November 21, 1782.

After argument the court adjourned till to morrow ten of the clock.

Friday,

Friday, 22d November, 1782.

The court met—Preſent as before.

The court ordered the motions now before them in writing to be filed.

The agents for Pennſylvania laid before the court the following ſtate and repreſentation:

To the honourable the commiſſioners and judges appointed to hear and finally determine the controverſy ſubſiſting between the ſtate of Pennſylvania and the ſtate of Connecticut. The agents of the ſtate of Pennſylvania beg leave humbly to ſtate and repreſent in behalf of the ſaid ſtate:

1ſt. That king Charles the ſecond, then king of Great-Britain, on the fourth day of March, in the year of our Lord one thouſand ſix hundred and eighty-one, by his letters patent, dated on the ſame day and year aforeſaid, did grant to William Penn, the firſt proprietary and governor of Pennſylvania, his heirs and aſſigns, "all that tract or part of land in America, with the iſlands therein contained, as the ſame is bounded on the eaſt by Delaware river, from twelve miles diſtance northwards of New-Caſtle town, unto the three and fortieth degree of northern latitude, if the ſaid river doth extend ſo far northward; but if the ſaid river ſhall not extend ſo far northward, then by the ſaid river ſo far as it doth extend, and from the head of the ſaid river, the eaſtern bounds are to be determined by a meridian line to be drawn from the head of the ſaid river unto the ſaid forty-third degree; the ſaid land to extend weſtward five degrees in longitude, to be computed from the ſaid eaſtern bounds; and the ſaid lands to be bounded on the north by the beginning of the three and fortieth degree of northern latitude, and on the ſouth by a circle drawn at twelve miles diſtance from New-Caſtle northward and weſtward unto the beginning of the fortieth degree of northern latitude, and then by a ſtreight line weſtwards to the limits of longitude abovementioned." By which letters patent the juriſdiction and right of government within the limits aforeſaid, and alſo the right of ſoil were conveyed, and under which Pennſylvania hath been held, ſettled and poſſeſſed.

2d. That the ſaid William Penn and the ſucceeding proprietaries of Pennſylvania, at different periods, purchaſed from the native Indians their right of ſoil within

different

different diſtricts of the limits aforeſaid, and received deeds from them for the ſame, and particularly on the 25th day of October, in the year of our Lord one thouſand ſeven hundred and thirty-ſix, the ſaid Indians conveyed to Thomas Penn and Richard Penn, the then proprietaries of Pennſylvania, the full and abſolute right of pre-emption, of and in all the lands not before ſold by them to the ſaid proprietaries within the limits aforeſaid.

3d. That the ſouthern bounds of Pennſylvania, ſo far as the ſame adjoins on Maryland, have been long ſince ſettled; and the ſame, ſo far as the ſtate adjoins upon Virginia, have alſo been ſettled of late by a line, called Maſon and Dixon's line, continued to the end of five degrees of longitude from the river Delaware; that the northern bounds have always been deemed to extend to the end of the forty ſecond degree where the figures 42 are marked on the map, the river Delaware being found to extend ſo far north and farther; that the ſaid river purſuing the eaſt or main branch thereof, above the forks at Eaſton, hath ever been deemed to be one boundary of Pennſylvania, from twelve miles above Newcaſtle, on the ſaid river, to the ſaid end of the forty-ſecond degree, and that a ſtreight line from thence to the place where the ſame ſhall interſect another ſtreight line, drawn from the end of the ſaid ſouthern line of boundary of Pennſylvania, commonly called Maſon and Dixon's line, continued to the extent of five degrees of longitude from the river Delaware, is another boundary of the ſaid ſtate of Pennſylvania.

4th. That the late province of Pennſylvania, on the fourth day of July, in the year of our Lord one thouſand ſeven hundred and ſeventy-ſix, did join with the other twelve, late provinces, now ſtates, in the declaration of independence, and ſoon after eſtabliſhed a conſtitution and government founded on the authority of the people, which they continue ſtill to exerciſe and enjoy; and they did alſo join in the articles of confederation of the United States; and that being ſo independent and ſovereign, on the twenty-ſeventh day of November, in the year of our Lord one thouſand ſeven hundred and ſeventy nine, they did by an act of their legiſlature, conſiſting of the repreſentatives of the freemen of the ſaid commonwealth of Pennſylvania in general aſſembly met, duly made and paſſed according to the directions of their

frame of government, veſt the right of ſoil and eſtate of the late proprietaries of Pennſylvania in the ſaid commonwealth; and that by means thereof, and of the ſeveral matters and things herein before ſet forth, the ſaid commonwealth, or ſtate of Pennſylvania, is entitled to the right of juriſdiction, and right of ſoil within all the limits aforeſaid.

5th. That, nevertheleſs, ſundry perſons pretending to claim under the late colony, now ſtate, of Connecticut, before the revolution, have violently ſettled themſelves within the limits aforeſaid, and the colony of Connecticut by an act of their legiſlature, made and paſſed a ſhort time before the revolution, have encouraged the ſaid violent ſettlement and intruſion, and aſſerted their claim as a colony to a large part of the lands within the limits aforeſaid, as well in point of juriſdiction as territory; and that ſince the revolution the ſaid intruſions are continued and daily encreaſed by the ſaid perſons pretending to claim under the ſtate of Connecticut, and the claim of the ſaid ſtate is by the ſaid ſtate ſtill continued and perſiſted in, and the juriſdiction of the ſaid ſtate actually aſſerted and exerciſed, within a part of the ſtate of Pennſylvania, in defiance of all law and juſtice.

Wherefore the ſaid agents do humbly pray, that this honourable court taking into conſideration the premiſes, as well as all other matters and proofs that may be alledged and ſhewn on the part of Pennſylvania and of Connecticut before you, you will proceed agreeably to the tenor of the ninth article of the confederation, to determine and decide in the premiſes according as to right and juſtice ſhall be found to appertain.

WILLIAM BRADFORD, junior.
JOS. REED,
JAMES WILSON,
JONA. D. SERGEANT,

November 20, 1782.

The agents for Connecticut alſo exhibited to the court a ſtate of the caſe on the part of Connecticut, as follows:

The ſtate of the caſe on the part of Connecticut, exhibited to the honourable court of commiſſioners at Trenton, November, A. D. 1782.

[A. D. 1497.] SEBASTIAN CABOT, a ſubject of England, was employed by Henry the ſeventh, king of England, to diſcover a north weſt paſſage to China, and in

in that ſervice, in or about the year one thouſand four hundred and ninety-ſeven, he diſcovered all the north-eaſt coaſt of America, from cape Florida, in twenty-five degrees north latitude, to ſixty-ſeven degrees and an half, by which the crown of England became entitled thereto, ſo far as the right of firſt diſcovery could entitle. King James the firſt, in the eighteenth year of his reign, [A. D. 1620.] by letters patent, under the great ſeal of England, gave the name of New England, in America, to all that circuit, continent and limits in America, in breadth from forty degrees of northerly latitude, from the equinoctial line, to forty-eight degrees of ſaid northerly latitude, and in length, by all the breadth throughout the main land from ſea to ſea, with all the rivers, ſeas, &c. within the ſame degrees of latitude and longitude; and incorporated the duke of Lenox, and divers other perſons, by the name of the council eſtabliſhed at Plymouth, in the county of Devon, for the planting, ruling, ordering and governing of New-England, in America; and to them and their ſucceſſors, grants all the the lands, &c. viz. that aforeſaid part of America, lying and being in breadth from forty degrees of northerly latitude, from the equinoctial line, to forty-eight degrees of the ſaid northerly latitude, incluſively, and in length, of and within all the breadth aforeſaid throughout the main lands, from ſea to ſea, together alſo with all the firm lands, ſoils, grounds, &c. and all and ſingular other commodities, juriſdictions, royalties, priviledges, franchiſes and pre-eminences, both within the ſaid tract, upon the land upon the main, and alſo within the ſaid iſlands and ſeas adjoining: Provided always, that the ſaid iſlands or any of the premiſes herein before mentioned, and by theſe preſents intended and meant to be granted, were not actually poſſeſſed or inhabited by other chriſtian prince or ſtate, nor within the bounds, limits or territories of that ſouthern colony heretofore by us granted, to be planted by divers of our loving ſubjects in the ſouth part. And did further command and authoriſe the ſaid council and their ſucceſſors, or the major part of them, to diſtribute, convey, aſſign, and ſet over ſuch particular portions of ſaid lands, tenements and hereditaments, to ſuch ſubjects, adventurers and planters, as they ſhould think proper, reſpect being had as well to the proportion of the adventurers as

to

to the ſpecial hazard, exploit or merit of any perſon to be recompenſed, advanced or rewarded.

[March 19, 1628.] The ſaid council of Plymouth granted to ſir Henry Roſwell, &c. their heirs and aſſigns, and their aſſociates forever, all that part of New-England, in America aforeſaid, which lies and extends between a great river, there commonly called Monomack, alias Merrimack, and a certain other river there, called Charles river, being in the bottom of a bay, called Maſſachuſetts, alias Mattachuſetts, alias Mattatuſetts-Bay, and all and ſingular thoſe lands and hereditaments whatſoever, lying within the ſpace of three Engliſh miles, on the ſouth part of the ſaid Charles river, or of any or every part thereof, and alſo all and ſingular the lands and hereditaments whatſoever, lying and being within the ſpace of three Engliſh miles, to the ſouthward of the ſouthermoſt part of the ſaid bay, called Maſſachuſetts, alias Mattachuſetts, alias Mattatuſetts Bay, and alſo all thoſe lands and hereditaments whatſoever, which lie and be within the ſpace of three Engliſh miles, to the northward of the ſaid river, called Monomack, alias Merrimack, or to the northward of any and every part thereof, and all lands and hereditaments whatſoever, lying within the limits aforeſaid, north and ſouth, in latitue and in breadth, and in length and longitude of and within all the breath aforeſaid, throughout the main lands there, from the Atlantic and Weſtern ſea and ocean, on the eaſt part to the South ſea, on the weſt part, and all the lands and grounds, &c. King Charles the Iſt, by his letters patent, under the great ſeal of England, did grant and confirm unto the ſaid ſir Henry Roſwell, &c. [March 4, 1629.] their heirs and aſſigns, and their aſſociates, all the ſaid part of New-England, in America, lying and extending between the bounds and limits in the ſaid indenture expreſſed, &c. Provided always, That if the ſaid lands, iſlands, or any the premiſes before-mentioned, and by the ſaid letters patent, laſt mentioned, intended and meant to be granted, were, at the time of the granting of the ſaid former letters patent, dated the third day of November, in the eighteenth year of the reign of his late majeſty, king James the Iſt, actually poſſeſſed or inhabited by any other chriſtian prince or ſtate, or were within the bounds, limits or territories of the ſaid ſouthern colony then before granted by the ſaid king, to be planted

ed by divers of his loving ſubjects in the ſouth parts of America, that then the ſaid grants ſhould not extend to any ſuch parts or parcels thereof, ſo formerly inhabited or lying within the bounds of the ſouthern plantation as aforeſaid. But as to thoſe parts or parcels ſo poſſeſſed or inhabited by any ſuch chriſtian prince or ſtate, or being within the boundaries aforeſaid, ſhould be utterly void.

[March 19, 1631.] Robert Earl, of Warwick, preſident of the council of Plymouth, by his deed, bearing date the 19th day of March, Anno Dom. 1631, did give, grant, bargain, ſell and confirm unto the right honourable William viſcount Say and Seal &c. their heirs and aſſigns, and their aſſociates forever, all that part of New-England, in America, which lies and extends itſelf from a river there called Narraganſett river, the ſpace of forty leagues upon a ſtreight line, near the ſea ſhore, towards the ſouth-weſt-weſt and by ſouth, or weſt, as the coaſt lieth towards Virginia, accounting three Engliſh miles to the league; and alſo all and ſingular the lands and hereditaments whatſoever, lying and being within the lands aforeſaid, north and ſouth in latitude and breadth, and in length and longitude, of and within all the breadth aforeſaid, throughout the main lands there, from the weſtern ocean to the South ſea, and all lands and grounds, havens, rivers, waters fiſhings and hereditaments whatſoever, lying within the ſaid ſpace, and every part and parcel thereof, and alſo all the iſlands lying in America aforeſaid, in the ſaid ſeas or either of them, on the weſtern or eaſtern coaſts, or parts of the ſaid tracts of land by theſe preſents mentioned to be given and granted; to have and to hold, unto the ſaid William viſcount Say and Seal, &c, their heirs and aſſigns, and their aſſociates, to their only proper uſe and behoof for evermore.

The Connecticut people eſtabliſhed government, and ſoon after proceeded to ſettle on the land aforeſaid, upon the right and as aſſociates of the lords Say and Seal, &c. under the patents aforeſaid, which lands they were afterwards veſted with, having obtained the native right by purchaſe and conqueſt, and having ſettled many towns in the eaſtern part of ſaid patent, and as far weſt as the Dutch poſſeſſions near Hudſon's river, they as early as A. D. 1650, extended their claims and poſſeſſions on the

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weſt ſide of Delaware river, and made purchaſes of large tracts of lands of the Indians there.

In 1635 the ſaid Plymouth company ſurrendered their patent to the crown.

[April 23d, 1662.] King Charles the ſecond, by his letters patent under the great ſeal of England, bearing date the 23d day of April, Anno Dom. 1662 ordained, conſtituted, and declared John Winthrop, John Maſon, Samuel Wyllis, and ſixteen others by name, and all ſuch others as then were or thereafter ſhould be admitted and made free, of the company and ſociety of the colony of Connecticut, in America, ſhould from time to time, and for ever thereafter, be one body corporate and politick, in fact and in name, by the name of the governor and company of the Engliſh colony of Connecticut, in New-England, in America, with certain powers, priviledges and authorities; and therein granted to them and their ſucceſſors, all that part of his dominions in New-England, in America, bounden on the eaſt by Narraganſett river, commonly called Narraganſett-bay, where the ſaid river falleth into the ſea, and on the north by the line of the Maſſachuſetts plantation, and on the ſouth by the ſea; and in longitude, as the line of the Maſſachuſetts colony, running from eaſt to weſt, that is to ſay, from the ſaid Narraganſett bay on the eaſt, to the South-ſea on the weſt, with the iſlands thereunto adjoining, together with all the firm lands, &c. to have and to hold the ſame unto the ſaid governor and company, their ſucceſſors and aſſigns forever, upon truſt, and to and for the uſe and benefit of themſelves and their aſſociates, freemen of the ſaid colony, their heirs and aſſigns, to be holden of the king, his heirs and ſucceſſors, as of his mannor of East-Greenwich, in free and common ſoccage, and not in capite or by knights ſervice.

Whereby the ſaid governor and company became veſted with right of juriſdiction over, and ſeized of the crown title, and of the excluſive right of pre emption to all the lands within the boundaries in ſaid patent mentioned and deſcribed, excepting only ſuch part of the ſame as was then actually in the poſſeſſion of the Dutch: and in fact the lands in controverſy, between the ſtates of Pennſylvania and Connecticut, in this caſe, are contained within the ſaid limits of ſaid patent, viz. within a line drawn from the eaſt ſide of a creek or river, called Momaroneck,

Momaroneck, where the freſh water falls into the ſalt, at high water mark, weſt parallel to the ſouth line of the patents to the Maſſachuſetts aforeſaid.

[March 12, 1664.] King Charles the IId, by his letters patent, under the great ſeal of England, bearing date the 12th day of March, anno. dom. 1664, gave and granted unto his royal brother James, duke of York, all that part of the main land in New-England, beginning at a certain place, called and known by the name of Saint Croix, next adjoining to New-Scotland, in America, and from thence extending along the ſea coaſt, unto a place called Pennequie or Pennequid, and ſo up the river thereof to the furthermoſt head of the ſame, as it tendeth northward, and extending from thence to the river Kenebequie, and upwards, by the ſhorteſt courſe, to the river called Canada, northward; and alſo all that iſland or iſlands, commonly called by the ſeveral name or names of Mattawacks, or Long Iſland, ſituate, lying and being towards the weſt of Cape Cod and the Narragan-ſetts, abutting upon the main land between the two rivers there, called and known by the names of Connecticut and Hudſon's river; together alſo with the ſaid river called Hudſon's river, and all the land from the weſt ſide of Connecticut river to the eaſt ſide of Delaware bay; and all the ſeveral iſlands, called or known by the names of Martin's Vineyard and Nantucks, otherwiſe Nantucket, together with all the lands, ſoils, iſlands, &c.

The Dutch and Swedes were at that time poſſeſſed of the lands belonging to the late colonies of New-York and New Jerſey, and had made conſiderable plantations and improvements there; which ſettlements aforeſaid of the Dutch, &c. they contended were begun as early as in the year 1614, prior to the patent of the council of Plymouth.

King Charles the ſecond, in April, 1664, made a conqueſt of the Dutch at New-York; and a ſettlement of the line between the duke of York's government, eaſtward, and the colony of Connecticut, became neceſſary.

[April 26, 1664.] His majeſty having conſtituted and appointed colonel Richard Nichols, ſir Robert Carr, knight, &c. his commiſſioners to viſit the New-England colonies, with full power and authority to hear, receive, examine and determine all complaints and appeals, and proceed in all things for providing for and ſettling the

peace

peace of ſaid country; they did accordingly ſettle and determine as follows, viz

[November 30, 166 :] By virtue of his majeſty's commiſſion, we have heard the difference about the bounds of the patent granted to his royal highneſs the duke of York, and to his majeſty's colony of Connecticut; and having deliberately conſidered the reaſons alledged by Mr. Allen, ſenior, Mr. Gold, Mr. Richards and captain Winthrop, appointed by the aſſembly held at Hartford the 13th of October, 1664, to accompany John Winthrop, eſquire, the governor of his majeſty's colony of Connecticut, to New-York, and by Mr. Howell and captain Young, why the ſaid Long-Iſland ſhould be under the government of Connecticut, which are too long here to be recited. We do declare, and order the ſouthern bounds of his majeſty's colony, is the ſea; and that Long Iſland is to be under the government of his royal highneſs the duke of York, as is expreſſed by plain words in ſaid charters reſpectively. And alſo by virtue of his majeſty's commiſſion, and by the conſent of both the governors and the gentlemen above named; we do alſo order and declare, that the creek or river which is called Monoromock, which is reputed to be about twelve miles to the eaſt of Weſt Cheſter, and a line to be drawn from the eaſt point, or ſide where the freſh water falls into the ſalt, at high water mark, north-north-weſt, to the line of the Maſſachuſetts, be the weſtern bounds of the ſaid colony of Connecticut: and all plantations lying weſtward of that creek and line ſo drawn, ſhall be under his royal highneſs's government; and all the plantations lying eaſtward of that creek and line, to be under the government of Connecticut.

To this, the commiſſioners therein mentioned from Connecticut, ſubſcribed in the words following, viz. "We underwritten, on behalf of the colony of Connecticut, have aſſented unto the determination of his majeſty's commiſſioners, in relation to the bounds and limits of his royal highneſs the duke's patent, and the patent of Connecticut."

In June, 1673, New-York and its territories were recovered by the Dutch, and their government revived again. In 1674, on a treaty of peace between the Engliſh and Dutch, ſigned at Weſtminſter, the Engliſh government was reſtored. June 29, A. D. 1674, the duke of

of York obtained a renewal of his patent. The duke's governor being uneasy at the former settlement of the line, claimed a resettlement of the same; and after various negociations and agreements, between November 23d, 1683, and 1733, the line between the duke's government, and the government of the colony of Connecticut, was finally settled, beginning at Biram river, at the sea, a few miles east of the former settlement of said line, and to extend northward to the line of the Massachusetts, as in said settlement is expressed.

King Charles the second, by his letters patent, bearing date the thirty-first year of his reign, gave and granted unto William Penn, his heirs and assigns, all that tract or parcel of land in America, with all the islands therein contained, as the same is bounded on the east of Delaware river, from twelve miles northward of Newcastle town, unto the three and fortieth degree of northern latitude, if the said river doth extend so far northward, but if the said river doth not extend so far northward, then by the said river so far as it doth extend; and from the head of the said river the eastern bounds are to be determined by a meridian line, to be drawn from the head of the said river unto the said three and fortieth degree. The said lands to extend westward five degrees in longitude, to be computed from the said eastern bounds; and the said lands to be bounded on the north by the beginning of the three and fortieth degree of northern latitude, and on the south by a circle drawn at twelve miles distance from Newcastle, northwards, and westwards unto the beginning of the fortieth degree of northern latitude, and then by a streight line westward to the limits of longitude abovementioned: to have, hold, possess and enjoy, unto the said William Penn, his heirs and assigns, &c. The northern part of the bounds and limits of which grant, interferes with and spreads over some parts of the western lands before granted to the colony of Connecticut, and confirmed by the renewed charter or patent aforesaid, from king Charles the second, for about the space of one degree of latitude through the whole breadth of the said grant, being nearly the 42d degree of north latitude, which occasions the present controversy; of which interference the said William Penn had notice at the time of taking out his patent aforesaid.

The colony of Connecticut, in A. D. 1753, having located and ſettled all their lands within their patent eaſt of New York, and being in a condition to extend their ſettlements on the other part of their patent aforeſaid, to the weſtward of Delaware river, which lay in a wilderneſs ſtate, and poſſeſſed only by the Indians; certain companies of adventurers, chiefly from ſaid colony, agreed together to purchaſe the native right to ſaid lands of the Indians, and to extend the ſettlements of the colony of Connecticut on the weſtern parts of ſaid patent, and accordingly did, under countenance of the authority of ſaid colony, at different times, make ſundry purchaſes of large tracts of lands of the Indians, native proprietors of ſaid lands, on the Suſquehannah and Delaware river, within the limits and bounds of the patent to the governor and company aforeſaid; and in A. D. 1754, ſaid companies of adventurers proceeded and made ſettlements on ſaid lands ſo purchaſed as aforeſaid, and ever ſince have, though with various interruptions, continued to hold and poſſeſs the ſame under the title of the colony of Connecticut. And the legiſlature of the colony of Connecticut have approved of the purchaſes and ſettlements of the adventurers aforeſaid, and have actually erected and exerciſed juriſdiction in and over ſaid territory, as part and parcel of ſaid colony.

All which rights, powers, priviledges and juriſdictions aforeſaid, of the colony of Connecticut, on the late happy revolution, remained as before, veſted in the ſtate of Connecticut.

And thereupon the agents for the ſtate of Connecticut pray the judgment of this honourable court in their favour, that they may be quieted in the juriſdiction and property in and over the lands in diſpute aforeſaid.

ELIPHALET DYER,
Wm. S. JOHNSON.
J. ROOT
} agents for Connecticut.

The agents for the ſtate of Pennſylvania having further prayed the opinion of the court, on the written motions this morning ordered to be filed, the ſame was given as follows:

The court cannot determine what motions may or may not be proper to be made hereafter; at the ſame time they think it proper to inform the agents on both ſides, that

that they mean to govern themſelves by the principles of law, ſo far as they ought to apply in the preſent caſe.

The court adjourned till to-morrow ten of the clock.

Saturday, 23d November, 1782.

The court met—Preſent as before.

A motion was made by the agents for the ſtate of Connecticut, in the words following:

Trenton, November 23, 1782.

Pennſylvania v. Connecticut.

The agents for the ſtate of Connecticut, ſenſible that in the courſe of this trial they will have occaſion to make uſe of many depoſitions, taken before a juſtice of the peace according to the laws of the ſtate in which they were taken, reſpecting the purchaſe of the Indian ſachems, native proprietors of ſaid lands, their deeds and the execution of them, the ſettlements that have been made on ſaid lands, and ſundry other matters which will be neceſſary in ſaid trial, beg leave now to move for the opinion of the court, whether ſuch depoſitions, taken as aforeſaid, will be admitted as evidence in the caſe.

DYER,
JOHNSON, } agents.
ROOT,

Which being followed by a motion from the agents for the ſtate of Pennſylvania, in theſe words:

November 23, 1782.

The agents for Pennſylvania, in reply to the written motion juſt filed by the agents of Connecticut, praying the opinion of the court reſpecting the admiſſibility of teſtimony, before the court proceeds upon a hearing of the cauſe, and before the teſtimony be regularly offered, humbly beg leave to object to the ſame motion, as irregular and unprecedented, and ſuch as the court ought not to decide upon, and of this they pray the opinion of the court.

Wm. BRADFORD, junr.
JAMES WILSON,
JONA. D. SERGEANT.

The court determined, that they can give no opinion upon the admiſſion of teſtimony until regularly offered.

The

The agents for the ſtate of Pennſylvania, gave the following notice in writing, viz.

Pennſylvania v. Connecticut.

The agents for Pennſylvania, anxious for the ſpeedy determination of this cauſe, and deſirous that the agents for Connecticut may have no reaſon to complain of hardſhip or ſurprize, do hereby, in the preſence of the court, give notice to the ſaid agents for Connecticut, that they ſhall conceive it their duty to oppoſe the admiſſion of any ex parte depoſitions, as evidence in this cauſe; and that they ſhall object to any application, for a commiſſion to take the examination of witneſſes, and to any motion for delaying this cauſe on the account of the abſence of witneſſes, unleſs ſuch motion or application be forthwith made, ſo as to avoid unneceſſary delay.

Wm. BRADFORD, jun.
JAMES WILSON,
JONA. D SERGEANT.

23d November, 1782.

The court adjourned until Monday morning next, ten the clock.

Monday, 25th November 1782.

The court met purſuant to adjournment.

Preſent as before.

The agents for the ſtate of Connecticut made the following anſwer to the notice given by the agents for the ſtate of Pennſylvania, on Saturday laſt, viz,

Pennſylvania v. Connecticut.

Now the agents for Connecticut, in anſwer to the notice given them by the agents for Pennſylvania on the 23d inſtant, ſay, that they being deſirous of a juſt as well as a ſpeedy deciſion of this cauſe, and that they, relying on the wiſdom, equity and juſtice of this honourable court, that all queſtions and motions which ſhall come before them, will be righteouſly determined, are ready to proceed. And that the agents for Pennſylvania may not ſuffer any diſadvantage by firſt diſcloſing their exhibits and evidence, the agents of Connecticut are willing, and now offer to go forward in their exhibits and proofs.

ELIPH. DYER,
JESSE ROOT,
Wm. SAM. JOHNSON,
} agents for Connect.

November 25, 1782.

Ordered,

Ordered, That the agents for the ſtate of Pennſylvania proceed with their proofs and exhibits.

Whereupon Mr. Bradford opened the cauſe, and proceeded accordingly.

The court adjourned till to-morrow morning ten of the clock.

Tueſday, 26th November, 1782.

The court met —Preſent as before.

The proofs and exhibits continued on the part of Pennſylvania.

The court adjourned till to-morrow morning ten of the clock.

Wedneſday, 27th November, 1782.

The court met—Preſent as before.

Farther proofs and exhibits on the part of Pennſylvania.

The court adjourned till Friday morning next, ten of the clock.

Friday, 29th November, 1782.

The court met—Preſent as before.

The agents for the ſtate of Connecticut proceeded to the proofs and exhibits on the part of the ſaid ſtate.

The court adjourned till to-morrow morning, ten of the clock.

Saturday, 30th November, 1782.

The court met—Preſent as before.

The proofs and exhibits continued on the part of Connecticut.

The court adjourned till Monday morning next ten of the clock.

Monday, 2d December, 1782.

The court met—Preſent as before.

On motion of the agents for the ſtate of Pennſylvania, *Ordered*, That a commiſſion do iſſue to take the depoſition of the right honourable William, earl of Sterling, the agents of Connecticut having notice thereof.

Farther proofs and exhibits on the part of connecticut.

The

The court adjourned till to-morrow morning ten of the clock.

Tueſday, 3d December, 1782.

The court met—Preſent as before.

The agents of Pennſylvania, in order to remove the doubts which were ſuggeſted by the agents of Connecticut, and entertained by ſome of the members of the court, as to their former powers, produced a new commiſſion of agency, which is in the words following:

Pennſylvania, ſi.

In the name and by the authority of the freemen of the commonwealth of Pennſylvania:

The preſident and ſupreme executive council of the ſaid commonwealth:

To William Bradford, junior, eſquire, attorney general of the ſaid commonwealth, Joſeph Reed, James Wilſon, Jonathan Dickinſon Sergeant, and Henry Oſborne, eſquires:

(L. S.)

JOHN DICKINSON.

WE repoſing eſpecial truſt and confidence in your prudence, integrity and abilities, do by theſe preſents conſtitute and appoint you, the ſaid William Bradford, junior, Joſeph Reed, James Wilſon and Jonathan Dickinſon Sergeant, our councellors and agents, and you the ſaid Henry Oſborne, our ſolicitor and agent, in the cauſe now depending before the honourable the commiſſioners and judges, appointed by virtue of the ninth article of the confederation of the United States of America, to hear and finally determine the controverſy ſubſiſting between the commonwealth of Pennſylvania, and the ſtate of Connecticut: hereby ratifying and confirming all, and whatſoever you our ſaid counſellors and agents, or any two of you, ſhall lawfully do or cauſe to be done, or heretofore have lawfully done or cauſed to be done, touching the ſaid cauſe between the ſaid ſtates of Pennſylvania and Connecticut.

Given in council, under the hand of the preſident and the ſeal of the ſtate, at Philadelphia, this 30th day of November, in the year of our Lord one thouſand ſeven hundred and eighty-two.

Atteſt.

T. MATLACK, ſecretary.

The

The agents for the ſtate of Connecticut continued their proofs and exhibits.

The court adjourned till to-morrow morning ten of the clock.

Wedneſday, 4th December, 1782.

The court met—Preſent as before.

The proofs and exhibits, on the part of Connecticut, continued.

The agents for the ſtate of Connecticut, having offered in evidence the proofs or atteſtation annexed to a certain deed, ſigned by Kahick Toton and other Indians, dated 11th July, 1754; which deed had yeſterday been admitted to be read; the agents for the ſtate of Pennſylvania objected to the reading of the ſaid proofs and atteſtation, alledging that they contained ſundry circumſtances relating to the manner of obtaining the ſaid deed, which were improper to be given in evidence; whereupon, after argument, the court ruled that the ſame be read.

The court adjourned till to-morrow morning ten of the clock.

Thurſday, 5th December, 1782.

The court met—Preſent as before.

The proofs and exhibits, on the part of Connecticut, continued,

On motion of the agents for the ſtate of Pennſylvania,

James Van Acken, eſquire, of that ſtate, was ſworn to give evidence in the cauſe.

The court adjourned until to-morrow morning ten of the clock.

Friday, 6th December, 1782.

The court met—Preſent as before.

The Proofs and exhibits, on the part of Pennſylvania, reſumed.

The court adjourned till to-morrow morning ten of the clock.

Saturday, 7th December, 1782.

The court met—Preſent as before. Proofs

Proofs and exhibits, on the part of Pennſylvania, continued.

The court adjourned until monday morning next ten of the clock.

Monday, 9th December, 1782.

The court met—Preſent as before.

Proofs and exhibits on the part of Pennſylvania, concluded.

Proofs and exhibits, on the part of Connecticut, reſumed and concluded.

The court adjourned till to-morrow morning ten of the clock.

Tueſday, 10th December, 1782.

The court met—Preſent as before,

The proofs and exhibits, on the part of Pennſylvania, and on the part of Connecticut, being finiſhed,

Ordered, That the agents proceed in the arguments alternately, and that one conclude on the part of the ſtate of Pennſylvania.

Mr. Root, one of the agents for the ſtate of Connecticut, proceeded to argue the cauſe.

The court adjourned till to-morrow morning ten of the clock.

Wedneſday, 11th December, 1782.

The court met—Preſent as before.

Mr. Sergeant proceeded with the argument on the part of the ſtate of Pennſylvania.

The honourable Samuel Wharton and Richard Peters, eſquires, were produced as witneſſes by the agents for the ſtate of Pennſylvania, and their evidence taken.

The court adjourned till to-morrow morning ten of the clock.

Thurſday, 12th December, 1782.

The court met—Preſent as before.

Mr. Sergeant continued the argument on the part of the ſtate of Pennſylvania.

His

His excellency governor Livingſton was produced as a witneſs by the agents for the ſtate of Pennſylvania, and his evidence taken.

The court adjourned till to-morrow morning ten of the clock.

Friday, 13th December 1782.

The court met—Preſent as before.

Mr. Dyer proceeded with the argument on the part of the ſtate of Connecticut.

The court adjourned till to-morrow morning ten of the clock.

Saturday, 14th December, 1782.

The court met—Preſent as before.

Mr. Dyer continued the argument on the part of the ſtate of Connecticut.

Mr. Wilſon proceeded with the argument on the part of the ſtate of Pennſylvania.

The court adjourned until Monday morning next, ten of the clock.

Monday, 16th December, 1782.

The court met—Preſent as before.

The court adjourned till to-morrow morning ten of the clock.

Tueſday, 17th December, 1782.

The court met—Preſent as before,

The court adjourned till to-morrow morning ten of the clock.

Wedneſday, 18th December, 1782.

The court met—Preſent as before.

The court adjourned till to-morrow morning ten of the clock.

Thurſday, 19th December, 1782.

The court met—Preſent as before.

Mr. Wilſon continued the argument on the part of the ſtate of Pennſylvania.

The court adjourned to ſix o'clock this afternoon.

Six o'clock P. M.

The court met—Preſent as before.

Mr. Wilſon continued the argument on the part of the ſtate of Pennſylvania.

The court adjourned till to-morrow morning ten of the clock.

Friday, 20th December, 1782.

Mr. Wilſon continued the argument on the part of the ſtate of Pennſylvania.

The court adjourned till to-morrow morning, ten of the clock.

Saturday, 21ſt December, 1782.

The court met—Preſent as before.

Mr. Johnſon proceeded with the argument on the part of the ſtate of Connecticut.

The court adjourned until Monday morning next, ten of the clock.

Monday, 23d December, 1782.

The court met—Preſent as before.

Mr. Johnſon continued the argument on the part of the ſtate of Connecticut.

The court adjourned to ſix o'clock this afternoon.

Six o'clock P. M,

The court met—Preſent as before.

Mr. Johnſon concluded the argument on the part of the ſtate of Connecticut.

The court adjourned till to-morrow morning ten of the clock.

Tueſday, 24th December, 1782.

The court met—Preſent as before.

Mr. Reed proceeded with the argument on the part of the ſtate of Pennſylvania.

The court adjourned to ſix o'clock this afternoon.

Six

Six o'clock P. M.

The court met—Preſent as before.

Mr. Reed concluded the argument on the part of the ſtate of Pennſylvania.

The court adjourned till to-morrow morning ten of the clock.

Wedneſday, 25th December, 1782.

The court met—Preſent as before.

The court adjourned till to-morrow morning ten of the clock.

Thurſday, 26th December, 1782.

The court met—Preſent as before.

The commiſſion for taking the depoſition of the right honourable William, earl of Sterling, being returned with the depoſition annexed:

Ordered, That the ſame be filed.

The court adjourned till to-morrow morning ten of the clock.

Friday, 27th December, 1782.

The court met—Preſent as before.

The court adjourned till to-morrow morning ten of the clock.

Saturday, 28th December, 1782.

The court met—Preſent as before.

The court adjourned till Monday morning next, ten of the clock.

Monday, 30th December 1782.

The court met—Preſent as before.

The agents attending,

The court pronounced the following ſentence or judgment:

This cauſe has been well argued by the learned counſel on both ſides. The court are now to pronounce their ſentence or judgment:

We are unanimouſly of opinion, that the ſtate of Connecticut has no right to the lands in controverſy.

We

We are alſo unanimouſly of opinion, that the juriſdiction and pre-emption of all the territory lying within the charter boundary of Pennſylvania, and now claimed by the ſtate of Connecticut, do of right belong to the ſtate of Pennſylvania.

Wm. WHIPPLE,
WELCOME ARNOLD,
Wm. C. HOUSTON,
CYRUS GRIFFIN,
DAVd. BREARLY.

Trenton, December 30, 1782.

The court adjourned without day.

Wm. WHIPPLE, preſident.

Atteſt.
JOHN NEILSON, clerk.

TUESDAY, JANUARY 7, 1783.

On the report of a committee, conſiſting of Mr. Fitzſimmons, Mr. Madiſon and Mr. Hamilton, to whom was referred a report from the ſecretary at war;

Reſolved, That colonels John Greaton and Rufus Putnam, of the Maſſachuſetts line, and colonel Elias Dayton, of the Jerſey line, be promoted to the rank of brigadier generals, agreeably to the reſolution of the 12th day of December, 1782.

A grand committee, conſiſting of Mr. Rutledge, Mr. Gilman, Mr Jackſon, Mr. Howell, Mr. Dyer, Mr. Duane, Mr. Witherſpoon, Mr. Fitzſimmons, Mr. M'Kean, Mr. Hanſon, Mr. Lee, Mr. Williamſon and Mr. Telfair, to whom were referred a letter of the 21ſt of October, 1782, from the legiſlature of Maſſachuſetts, and a motion of Mr. Oſgood; having reported thereon as follows:

"That individuals in each ſtate, who are poſſeſſed of continental paper money, be entitled to receive from the commiſſioner who is or ſhall be appointed to ſettle the accounts of the ſeveral ſtates, and of individuals therein, againſt the United States, a ſpecie certificate for all ſuch ſums of the ſaid money as they ſhall reſpectively pay into the hands of ſuch commiſſioner, at the rate of one ſilver dollar for every continental dollars; the certificates

cates to bear interest of six per cent. from the date, and be provided for as other public debts; but that no money shall be received or certificates granted by the said commissioners after the last day of December, 1783. That the states which have not sunk the proportions assigned to them, of the continental money, be charged with the deficiency, or the amount of what they have not sunk, at the rate aforesaid." And the said report being taken into consideration, a motion was made by Mr. Williamson, seconded by Mr. Carroll, that the farther consideration be postponed; and on the question for postponing, the yeas and nays being required by Mr. Gilman.

New-Hampshire,	Mr. Gilman	no	no
	Mr. White	no	
Massachusetts,	Mr. Osgood	no	no
	Mr. Gorham	no	
Rhode Island,	Mr. Collins	no	no
	Mr. Arnold	no	
Connecticut,	Mr. Elsworth	no	no
	Mr. Wolcott	no	
	Mr. Dyer	no	
New-York,	Mr. Floyd	no	no
	Mr. Hamilton	no	
New Jersey,	Mr. Boudinot	no	ay
	Mr. Elmer	ay	
	Mr. Condict	ay	
Pennsylvania,	Mr. Mifflin	ay	ay
	Mr. Fitzsimmons	no	
	Mr. Wilson,	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Delaware,	Mr. Dickinson	ay	ay
	Mr. Wharton	ay	
Maryland,	Mr Carroll	ay	*
Virginia,	Mr. Madison	no	*
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamson	ay	
South-Carolina,	Mr. Rutledge	no	divided
	Mr. Ramsay	ay	
	Mr. Izard	ay	
	Mr. Gervais	no	

So the motion was lost.

A motion was then made by Mr. Wolcott, seconded by Mr. Gervais, that the consideration of the report be postponed to take up the following motion:

"That

"That it be recommended to the ſeveral ſtates, that they immediately take the moſt effectual meaſures to redeem their reſpective quotas of the old bills of public credit out of the hands of their poſſeſſors, upon ſuch principles as will in their opinion render the moſt ſubſtantial juſtice to their own citizens and thoſe of the United States:

And on the queſtion, the yeas and nays being required by Mr. Wolcott,

New-Hampſhire,	Mr. Gilman	no	no
	Mr. White	no	
Maſſachuſetts,	Mr. Oſgood	no	no
	Mr. Gorham	no	
Rhode-Iſland,	Mr. Collins	no	no
	Mr. Arnold	no	
Connecticut,	Mr. Elſworth	ay	ay
	Mr. Wolcott	ay	
	Mr. Dyer	ay	
New-York,	Mr. Floyd	ay	divided
	Mr. Hamilton	no	
New-Jerſey,	Mr. Boudinot	no	ay
	Mr. Elmer	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Mifflin	ay	ay
	Mr. Fitzſimmons	no	
	Mr. Wilſon	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Delaware,	Mr. Dickinſon	no	divided
	Mr. Wharton	ay	
Maryland,	Mr. Carroll	no	*
Virginia,	Mr. Madiſon	no	*
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Rutledge	no	ay
	Mr. Ramſay	ay	
	Mr. Izard	ay	
	Mr. Gervais	ay	

So the queſtion was loſt.

A motion was made by Mr. Hamilton, ſeconded by Mr. Collins, that the blank in the report be filled with the word "forty:"

And on the queſtion to agree to this, the yeas and nays being required by Mr. Oſgood,

New-Hampſhire,

New Hampſhire,	Mr. Gilman	*ay*	*ay*
	Mr. White	*ay*	
Maſſachuſetts,	Mr. Oſgood	*ay*	*ay*
	Mr. Gorham	*ay*	
Rhode-Iſland,	Mr. Collins	*ay*	*ay*
	Mr. Arnold	*ay*	
Connecticut,	Mr. Elſworth	*no*	*no*
	Mr. Wolcott	*no*	
	Mr. Dyer	*no*	
New-York,	Mr. Floyd	*no*	*divided*
	Mr. Hamilton	*ay*	
New Jerſey,	Mr. Boudinot	*ay*	*no*
	Mr. Elmer	*no*	
	Mr. Condict	*no*	
Pennſylvania,	Mr. Mifflin	*no*	*no*
	Mr. Fitzſimmons	*no*	
	Mr. Wilſon	*no*	
	Mr. Montgomery	*no*	
	Mr. Peters	*no*	
Delaware,	Mr. Dickinſon	*no*	*divided*
	Mr. Wharton	*ay*	
Maryland,	Mr. Carroll	*no*	*
Virginia,	Mr. Madiſon	*no*	*
North-Carolina,	Mr Hawkins	*no*	*no*
	Mr. Williamſon	*no*	
South-Carolina,	Mr. Rutledge	*no*	*no*
	Mr. Ramſay	*no*	
	Mr. Izard	*no*	
	Mr Gervais	*no*	

So the queſtion was loſt.

A motion was made by Mr. Oſgood, ſeconded by Mr. Arnold, that the blank be filled with "ſeventy-five;"

And on the queſtion to agree thereto, the yeas and nays being required by Mr. Gilman,

New-Hampſhire,	Mr. Gilman	*ay*	*ay*
	Mr. White	*ay*	
Maſſachuſetts,	Mr. Oſgood	*ay*	*ay*
	Mr. Gorham	*ay*	
Rhode-Iſland,	Mr. Collins	*no*	*divided*
	Mr. Arnold	*ay*	
Connecticut,	Mr. Elſworth	*no*	*no*
	Mr. Wolcott	*ay*	
	Mr. Dyer	*no*	

New-York,

New-York,	Mr Floyd	no	no
	Mr. Hamilton	no	
New Jerſey,	Mr. Boudinot	no	no
	Mr. Elmer	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Mifflin	no	no
	Mr. Fitzſimmons	no	
	Mr. Wilſon	no	
	Mr. Montgomery	no	
	Mr. Peters	no	
Delaware,	Mr. Dickinſon	no	no
	Mr. Wharton	no	
Maryland,	Mr. Carroll	no	*
Virginia,	Mr. Madiſon	no	*
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South Carolina,	Mr. Rutledge	no	no
	Mr. Ramſay	no	
	Mr. Izard	no	
	Mr. Gervais	no	

So the queſtion was loſt.

TUESDAY, JANUARY 14, 1783.

The committee, conſiſting of Mr. Gilman, Mr. Hamilton and Mr. Elſworth, to whom were referred a motion of Mr. Arnold, for tranſmitting to the executive of Rhode-Iſland ſundry extracts of public letters from Europe, and ſome ſubſequent motions thereon; report,

"That in their opinion it would be improper for Congreſs to concur in the object of that motion, as, with reſpect to a part of the extracts ſpecified, relating merely to the general growing political importance of theſe ſtates, the injunction of ſecrecy being taken off, any member who inclines to communicate them to his ſtate may take copies of them, and more eſpecially as Mr. Howell was furniſhed with compleat copies of letters, from which particular detached ſentences are now requeſted; and with reſpect to ſuch extracts as relate to the ſubject of foreign loans, they are already within the purview of the reſolution of the 20th of December laſt, directing the ſecretary for foreign affairs, to tranſmit to the executive of the ſtate of Rhode-Iſland, an authenticated ſtate of the applications for foreign loans, and the

result;

reſult; that the ſame obſervation applies to that part of the motion which relates generally to the tranſmiſſion of the letters from our foreign miniſters, on the ſubject of loans not under the injunction of ſecrecy, with this additional conſideration, that ſuch of thoſe letters, as would in fact throw light upon the ſubject, comprehend many delicate tranſactions, which it is the duty of Congreſs, at the preſent juncture, to conceal: the committee, notwithſtanding, are of opinion, that to obviate miſrepreſentation, it will be adviſeable to tranſmit to the executive of the ſtate of Rhode-Iſland, a copy of Mr. Arnold's motion, and the proceedings thereupon, with a requeſt, that precautions may be taken to prevent their appearing in the public prints."

On the queſtion reſolved, that Congreſs agree to the ſaid report.

WEDNESDAY, JANUARY 15, 1783.

The honorable the miniſter plenipotentiary of his moſt chriſtian majeſty having notified to Congreſs, that the term allowed to the capitulants of St. Chriſtophers, Nevis and Montſerat, for receiving cargoes from Great-Britain, and for loading back the veſſels under neutral colours, for that kingdom, is expired; and that the governor general of thoſe iſlands is inſtructed to grant no more permits for ſuch purpoſes.

Ordered, That the notification be publiſhed.

THURSDAY, JANUARY 16, 1783.

A letter of the 15th from the war-office was read, accompanied with one of the ſame date, from brigadier general O. H. Williams, repreſenting that the preſent ſtate of the army, and the late arrangement of brigadiers to diſtricts, render it impoſſible that brigadier Williams ſhould obtain any command, and expreſſing a wiſh, that he may be permitted to retire with the emoluments allowed to retiring officers; whereupon

Reſolved, That brigadier general O. H. Williams be permitted to retire from ſervice, with the emoluments allowed by the acts of Congreſs to ſupernumerary officers.

FRIDAY,

FRIDAY, JANUARY 17, 1783.

On the report of a committee, consisting of Mr. Rutledge, Mr. Mifflin and Mr. Williamson, to whom was referred a letter of the 19th of December last, from major general Greene, giving information of the evacuation of Charlestown, by the British, and of our being by that event in compleat possession of all the southern states:

Resolved, That the thanks of the United States in Congress assembled, be presented to major general Greene, for his many signal and important services; and that he be assured that Congress retain a lively sense of the frequent and uniform proofs he has given of prudence, wisdom and military skill, during his command in the southern department.

Resolved, That general Greene be desired to present the thanks of the United States in Congress assembled to the officers and private soldiers under his command, who, in all the vicisitudes of season, under the numerous inconveniencies of long and rapid marches in a country plundered and desolated by an enemy greatly superior in force, have surmounted every difficulty and danger, and manifested such bravery, perseverance and fortitude, as to do honour to themselves and to the cause they have so zealously and successfully supported.

TUESDAY, JANUARY 21, 1783.

The superintendant of finance having laid before Congress a copy of a contract between His Most Christian Majesty and the United States of America, entered into and executed on the 16th of July, 1782, by the count de Vergennes and doctor B. Franklin, for ascertaining the sums of money advanced on loan by his majesty to the United States, and settling the terms of payment; and it being stipulated in the said contract, that the ratifications thereof shall be exchanged in nine months from the date, or sooner if possible:

Ordered, That the secretary prepare and lay before Congress the form of a ratification.

A letter of the 8th of October, 1782, from the honourable J. Adams, was read, accompanied with a certified copy of a treaty of amity and commerce, and of a convention respecting recaptured vessels, agreed to between their

their HighMightineſſes the States General of the Netherlands, and the United States of America, on the ſaid 8th day of October, 1782.

WEDNESDAY, JANUARY 22d, 1783.

The form of a ratification being brought in and agreed to, the contract between his moſt chriſtian majeſty and the united ſtates of America, entered into on the 16th of July, 1782, was ratified.

THURSDAY, JANUARY 23d, 1783.

On motion of Mr. Elſworth, ſeconded by Mr. Hamilton,

Reſolved, That the commiſſioner for ſettling the accounts of the commiſſary general's department, be directed to reduce into ſpecie value, the whole of the purchaſes and expenditure of the late commiſſary general, Joſeph Trumbull, the value to be aſcertained at the end of every month, and to eſtimate the commiſſion on the ſaid expenditures in ſpecie, agreeable to the rates mentioned in the act of Congreſs of the 31ſt day of March, 1779.

On the report of a committee, conſiſting of Mr. Madiſon, Mr. Hamilton and Mr. Elſworth, to whom were referred the letter of the 8th of October, 1782, from the miniſter plenipotentiary at the Hague, with copies of a treaty of amity and commerce, and of a convention concerning veſſels recaptured.

Reſolved, That the ſaid treaty of amity and commerce, and the ſaid convention, concerning veſſels recaptured, between their high mightineſſes, the ſtates general of the Netherlands, and the united ſtates of America, dated at the Hague the 8th day of October, 1782, be accepted and ratified, and that the forms of the ratifications be as follows:

Form of a Ratification for the Treaty of Amity and Commerce.

The United States of America in Congreſs aſſembled, to all who ſhall ſee theſe Preſents, Greeting.

WHEREAS by our commiſſion, dated at Philadelphia the twenty-ninth day of December, 1780, John Adams, formerly

formerly a delegate from Maſſachuſetts, &c. was nominated and conſtituted our miniſter, with full powers on the part of the united ſtates of America, to concert and conclude, with perſons equally empowered on the part of their high mightineſſes, the ſtates general of the united Netherlands, a treaty of amity and commerce, having for its baſis the moſt perfect equality, and for its object the mutual advantage of the parties we promiſing, in good faith, to ratify whatever ſhould be tranſacted by virtue of the ſaid commiſſion: and whereas our ſaid miniſter, in purſuance of his full powers at the Hague, on the 8th day of October, 1782, with George Van Randwyck, B. V. D. Santheuvel, P. V. Bleiſwyk, W. C. H. Van Lynden, D. J. Van Heeckeren, Joan Van Kuffeler, F. G. Van Dedemtotden Gelder, H. Tjaſſens, plenipotentiaries, named for that purpoſe, on the part of their high mightineſſes, the ſtates general of the united Netherlands, did conclude and ſign on the part of their ſaid high mightineſſes, &c. and of the united ſtates of America, a treaty of amity and commerce, in the words following, to wit:

[Here inſert the treaty.]

Now be it known, That we, the ſaid united ſtates of America in Congreſs aſſembled, have accepted and approved, and do by theſe preſents ratify and confirm the ſaid treaty, and every article and clauſe thereof: and we do authoriſe and direct our miniſter plenipotentiary at the Hague, to deliver this our act of ratification, in exchange for the ratification of the ſaid treaty by their high mightineſſes, the ſtates general of the united Netherlands. In teſtimony whereof, we have cauſed our ſeal to be hereunto affixed.

Witneſs his excellency Elias Boudinot, preſident, this twenty-third day of January, one thouſand ſeven hundred and eighty-three, and of our ſovereignty and independence the ſeventh.

Form of a Ratification for the Convention concerning recaptured veſſels.

The United States of America in Congreſs aſſembled, to all who ſhall ſee theſe Preſents, Greeting.

WHEREAS John Adams, our miniſter plenipotentiary, at the Hague, on the 8th day of October, 1782, with

with George Van Randwyck, B. V. D. Santheuvel, P. V. Bleiſwyk, W. C. H. Van Lynden, D. J. Van Heeckeren, Joan Van Kuffeler, F .G. Van Dedemtotden Gelder, H. Tjaſſens, miniſters plenipotentiaries of the Lords, the States general of the United Netherlands, did conclude and ſign on the part of the ſaid Lords, the States General of the United Netherlands, and of the United States of America, a convention concerning veſſels recaptured, in the words following, to wit:

[Here inſert the convention.]

Now be it known, That we the ſaid united ſtates of America in congreſs aſſembled have accepted and approved, and do by theſe preſents ratify and confirm the ſame, and do authoriſe and direct the miniſter plenipotentiary of the United States at the Hague, to deliver this our act of ratification, in exchange for the ratification of the ſaid convention by the Lords, the States General of the United Netherlands.

In teſtimony whereof, we have cauſed our ſeal to be hereunto affixed.

Witneſs his excellency Elias Boudinot, preſident, this twenty-third day of January, one thouſand ſeven hundred and eighty-three, and of our ſovereignty and independence, the ſeventh.

The committee having reported the draught of a Proclamation to be iſſued by Congreſs, the ſame was agreed to as follows:

By the UNITED STATES in CONGRESS aſſembled:

A PROCLAMATION.

WHEREAS in purſuance of a plenipotentiary commiſſion, given on the twenty-ninth day of December, one thouſand ſeven hundred and eighty, to the honorable John Adams, eſquire, a treaty of Amity and Commerce, between their High Mightineſſes, the States General of the United Netherlands, and the United States of America, was on the eighth day of October, one thouſand ſeven hundred and eighty two, concluded by the ſaid John Adams, with plenipotentiaries named for that purpoſe by their ſaid High Mightineſſes the States General

neral of the United Netherlands: and whereas the ſaid treaty hath been this day approved and ratified by the United States in Congreſs aſſembled, as the ſame is contained in the words following, to wit.

A TREATY of AMITY and COMMERCE, between their High Mightineſſes, the States General of the United Netherlands, and the United States of America, to wit, New-Hampſhire, Maſſachuſetts, Rhode Iſland and Providence Plantations, Connecticut, New-York, New-Jerſey, Pennſylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

THEIR High Mightineſſes, the States General of the United Netherlands, and the United States of America, to wit, New Hampſhire, Maſſachuſetts, Rhode Iſland and Providence Plantations, Connecticut, New-York, New Jerſey, Pennſylvania, Delaware, Maryland, Virginia, North-Carolina, South Carolina and Georgia, deſiring to aſcertain, in a permanent and equitable manner, the rules to be obſerved, relative to the commerce and correſpondence which they intend to eſtabliſh between their reſpective ſtates, countries and inhabitants, have judged that the ſaid end cannot be better obtained, than by eſtabliſhing the moſt perfect equality and reciprocity for the baſis of their agreement, and by avoiding all thoſe burthenſome preferences which are uſually the ſources of debate, embarraſſment and diſcontent; by leaving alſo each party at liberty to make, reſpecting commerce and navigation, ſuch ulterior regulations as it ſhall find moſt convenient to itſelf, and by founding the advantages of commerce ſolely upon reciprocal utility and the juſt rules of free intercourſe, reſerving with all, to each party, the liberty of admitting, at its pleaſure, other nations to a participation of the ſame advantages.

On theſe principles their ſaid High Mightineſſes, the States General of the United Netherlands, have named for their plenipotentiaries, from the midſt of their aſſembly, meſſieurs their deputies for the foreign affairs; and the ſaid United States of America, on their part, have furniſhed with full powers, Mr. John Adams, late commiſſioner of the United States of America at the court of Verſailles, heretofore delegate in Congreſs, from the ſtate of Maſſachuſetts-Bay, and chief juſtice of the

he ſaid ſtate; who have agreed and concluded as fol-
ows, to wit:

Art. 1. There ſhall be a firm, inviolable and univer-
al peace and ſincere friendſhip between their High
Mightineſſes the Lords, the States General of the Uni-
ed Netherlands and the United States of America; and
etween the ſubjects and inhabitants of the ſaid parties,
nd between the countries, iſlands, cities and places ſitu-
ted under the juriſdiction of the ſaid United Nether-
ands and the ſaid United States of America, their ſub-
ects and inhabitants of every degree, without exceptio
n of perſons or places.

Art. 2. The ſubjects of the ſaid States General of the
Jnited Netherlands, ſhall pay in the ports, havens, roads,
ountries, iſlands, cities or places of the United States of
merica, or any of them, no other nor greater duties or
mpoſt, of whatever nature or denomination they may
e, than thoſe which the nations the moſt favoured are
r ſhall be obliged to pay; and they ſhall enjoy all the
ights, liberties, privileges, immunities and exemptions
n trade, navigation and commerce which the ſaid na-
ions do or ſhall enjoy, whether in paſſing from one port
o another in the ſaid States, or in going from any of
hoſe ports to any foreign port of the world, or from any
oreign port of the world to any of thoſe ports.

Art. 3. The ſubjects and inhabitants of the ſaid Uni-
ed States of America, ſhall pay in the ports, havens,
oads, countries, iſlands, cities or places of the ſaid
Jnited Netherlands, or any of them, no other nor
reater duties or impoſts of whatever nature denomi-
nation they may be, than thoſe which the nations the
noſt favoured are or ſhall be obliged to pay; and they
hall enjoy all the rights, liberties, privileges, immuni-
ies and exemptions in trade, navigation and commerce,
which the ſaid nations do or ſhall enjoy, whether in paſ-
ing from one port to another in the ſaid States, or from
ny one towards any one of thoſe ports, from or to any fo-
eign port of the world: And the United States of Ame-
ica, with their ſubjects and inhabitants, ſhall leave to
hoſe of their High Mightineſſes, the peaceable enjoy-
ment of their rights in the countries, iſlands and ſeas in
he Eaſt and Weſt-Indies, without any hindrance or mo-
eſtation.

Art.

Art. 4. There ſhall be an entire and perfect liberty of conſcience allowed to the ſubjects and inhabitants of each party, and to their families, and no one ſhall be moleſted in regard to his worſhip, provided he ſubmits as to the public demonſtration of it, to the laws of the country: There ſhall be given moreover liberty, when any ſubjects or inhabitants of either party ſhall die in the territory of the other, to bury them in the uſual burying places, or in decent and convenient grounds to be appointed for that purpoſe, as occaſion ſhall require: and the dead bodies of thoſe who are buried, ſhall not in anywiſe be moleſted. And the two contracting parties ſhall provide, each one in his juriſdiction, that their reſpective ſubjects and inhabitants may hence forward obtain the requiſite certificates in caſes of deaths in which they ſhall be intereſted.

Art. 5. Their High Mightineſſes, the States General of the United Netherlands, and the United States of America ſhall endeavour, by all the means in their power, to defend and protect all veſſels and other effects belonging to their ſubjects and inhabitants reſpectively, or to any of them, in their ports, roads, havens, internal ſeas, paſſes, rivers, and as far as their juriſdiction extends at ſea, and to recover and cauſe to be reſtored to the true proprietors, their agents or attornies, all ſuch veſſels and effects, which ſhall be taken under their juriſdiction: and their veſſels of war and convoys, in caſes when they may have a common enemy, ſhall take under their protection all the veſſels belonging to the ſubjects and inhabitants of either party, which ſhall not be laden with contraband goods, according to the deſcription which ſhall be made of them hereafter, for places, with which one of the parties is in peace, and the other at war, nor deſtined for any place blocked, and which ſhall hold the ſame courſe or follow the ſame rout; and they ſhall defend ſuch veſſels as long as they ſhall hold the ſame courſe, or follow the ſame rout, againſt all attacks, force and violence of the common enemy, in the ſame manner, as they ought to protect and defend the veſſels, belonging to their own reſpective ſubjects.

Art. 6. The ſubjects of the contracting parties may, on one ſide and on the other, in the reſpective countries and ſtates, diſpoſe of their effects by teſtament, donation or otherwiſe, and their heirs, ſubjects of one of the parties,

ties, and reſiding in the country of the other, or elſewhere, ſhall receive ſuch ſucceſſions, even ab in teſtato, whether in perſon or by their attorney or ſubſtitute, even although they ſhall not have obtained letters of naturalization, without having the effect of ſuch commiſſion conteſted under pretext of any rights or prerogatives of any province, city or private perſon; and if the heirs, to whom ſuch ſucceſſions may have fallen, ſhall be minors, the tutors or curators, eſtabliſhed by the judge domiciliary of the ſaid minors, may govern, direct, adminiſter, ſell and alienate the effects fallen to the ſaid minors, by inheritance; and in general, in relation to the ſaid ſucceſſions and effects, uſe all the rights and fulfil all the functions, which belong by the diſpoſition of the laws, to guardians, tutors, and curators: provided nevertheleſs, that this diſpoſition cannot take place, but in caſes where the teſtator ſhall not have named guardians, tutors, curators by teſtament, codicil, or other legal inſtrument.

Art. 7. It ſhall be lawful and free for the ſubjects of each party, to employ ſuch advocates, attornies, notaries, ſolicitors or factors, as they ſhall judge proper.

Art. 8. Merchants, maſters and owners of ſhips, mariners, men of all kinds, ſhips and veſſels, and all merchandizes, and goods in general, and effects of one of the confederates, or of the ſubjects thereof, ſhall not be ſeized or detained in any of the countries, lands, iſlands, cities, places, ports, ſhores or dominations whatſoever of the other confederate, for any military expedition, public or private uſe of any one, by arreſts, violence or any colour thereof; much leſs ſhall it be permitted to the ſubjects of either party, to take or extort by force, any thing from the ſubjects of the other party, without the conſent of the owner: which however is not to be underſtood of ſeizures, detentions and arreſts, which ſhall be made by the command and authority of juſtice, and by the ordinary methods, on account of debts or crimes, in reſpect whereof, the proceedings muſt be, by way of law, according to the forms of juſtice.

Art. 9. It is further agreed and concluded, that it ſhall be wholly free for all merchants, commanders of ſhips and other ſubjects and inhabitants of the contracting parties, in every place ſubjected to the juriſdiction of the two powers reſpectively, to manage themſelves, their own buſineſs. And moreover as to the uſe of in-

terpreters or brokers, as alſo in relation to the loading or unloading of their veſſels, and every thing which has relation thereto, they ſhall be, on one ſide and on the other, conſidered and treated upon the footing of natural ſubjects, or at leaſt upon an equality with the moſt favoured nation.

Art. 10. The merchant-ſhips of either of the parties coming from the port of an enemy, or from their own or a neutral port, may navigate freely towards any port of an enemy of the other ally: they ſhall be, nevertheleſs, held, whenever it ſhall be required, to exhibit, as well upon the high ſeas as in the ports, their ſea letters and other documents, deſcribed in the twenty-fifth article, ſtating expreſſly that their effects are not of the number of thoſe, which are prohibited as contraband: And not having any contraband goods for an enemy's port, they may freely and without hindrance, purſue their voyage towards the port of an enemy. Nevertheleſs it ſhall not be required to examine the papers of veſſels convoyed by veſſels of war, but credence ſhall be given to the word of the officer, who ſhall conduct the convoy.

Art. 11. If by exhibiting the ſea-letters and other documents deſcribed more particularly in the twenty-fifth article of this treaty, the other party ſhall diſcover there are any of thoſe ſorts of goods which are declared prohibited and contraband, and that they are conſigned for a port under the obedience of his enemy, it ſhall not be lawful to break up the hatches of ſuch ſhip, nor to open any cheſt, coffer, packs, caſks or other veſſels found therein, or to remove the ſmalleſt parcel of her goods, whether the ſaid veſſel belongs to the ſubjects of their High Mightineſſes, the States General of the United Netherlands, or to the ſubjects or inhabitants of the ſaid United States of America, unleſs the lading be brought on ſhore, in preſence of the officers of the court of admiralty, and an inventory thereof made, but there ſhall be no allowance to ſell, exchange or alienate the ſame, until after that due and lawful proceſs ſhall have been had againſt ſuch prohibited goods of contraband, and the court of admiralty, by a ſentence pronounced, ſhall have confiſcated the ſame, ſaving always as well the ſhip itſelf as any other goods found therein, which are to be eſteemed free, and may not be detained on pretence of their being infected by the prohibited goods, much leſs ſhall they be confiſcated

confiſcated as lawful prize: but on the contrary when by the viſitation at land, it ſhall be found that there are no contraband goods in the veſſel, and it ſhall not appear by the papers, that he who has taken and carried in the veſſel has been able to diſcover any there, he ought to be condemned in all the charges, damages and intereſts of them, which he ſhall have cauſed, both to the owner of veſſels and to the owners and freighters of cargoes, with which they ſhall be loaded, by his temerity in taking and carrying them in, declaring moſt expreſsly, the free veſſels ſhall aſſure the liberty of the effects with which they ſhall be loaded, and that this liberty ſhall extend itſelf equally to the perſons who ſhall be found in a free veſſel, who may not be taken out of her, unleſs they are military men, actually in the ſervice of an enemy.

Art. 12. On the contrary it is agreed, that whatever ſhall be found to be laden by the ſubjects and inhabitants of either party, on any ſhip belonging to the enemies of the other, or to their ſubjects, although it be not comprehended under the ſort of prohibited goods, the whole may be confiſcated, in the ſame manner as if it belonged to the enemy: except nevertheleſs ſuch effects and merchandizes, as were put on board ſuch veſſel, before the declaration of war or in the ſpace of ſix months after it, which effects ſhall not be in any manner ſubject to confiſcation, but ſhall be faithfully and without delay reſtored in nature to the owners, who ſhall claim them or cauſe them to be claimed, before the confiſcation and ſale, as alſo their proceeds, if the claim could not be made but in the ſpace of eight months after the ſale, which ought to be public: provided nevertheleſs, that if the ſaid merchandizes are contraband, it ſhall by no means be lawful to tranſport them afterwards to any port belonging to enemies.

Art. 13. And that more effectual care may be taken for the ſecurity of ſubjects and people of either party, that they do not ſuffer moleſtation from the veſſels of war, or privateers of the other party, it ſhall be forbidden to all commanders of veſſels of war, and other armed veſſels of the ſaid States General of the United Netherlands, and the ſaid United States of America, as well as to all their officers, ſubjects and people, to give any offence or do any damage to thoſe of the other party; and if they act to the contrary, they ſhall be, upon

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the firſt complaint which ſhall be made of it, being found guilty after a juſt examination, puniſhed by their proper judges, and moreover obliged to make ſatisfaction for all damages and intereſts thereof, by reparation, under pain and obligation of their perſons and goods.

Art. 14. For further determining of what has been ſaid, all captains of privateers, or fitters out of veſſels armed for war, under commiſſion and on account of private perſons, ſhall be held before their departure, to give ſufficient caution before competent judges, either to be entirely reſponſible for the malverſations which they may commit in their cruiſes or voyages, as well as for the contraventions of their captains and officers, againſt the preſent treaty, and againſt the ordinances and edicts which ſhall be publiſhed in conſequence of, and conformity to it, under pain of forfeiture and nullity of the ſaid commiſſion.

Art. 15. All veſſels and merchandizes of whatſoever nature, which ſhall be reſcued out of the hands of any pirates or robbers, navigating the high ſeas without requiſite commiſſions, ſhall be brought into ſome port of one of the two ſtates, and depoſited in the hands of the officers of that port, in order to be reſtored entire to the true proprietor, as ſoon as due and ſufficient proofs ſhall be made, concerning the property thereof.

Art. 16. If any ſhips or veſſels belonging to either of the parties, their ſubjects or people ſhall, within the coaſts or dominations of the other, ſtick upon the ſands or be wrecked, or ſuffer any other ſea damage, all friendly aſſiſtance and relief ſhall be given to the perſons ſhipwrecked, or ſuch as ſhall be in danger thereof; and the veſſels, effects and merchandizes, or the part of them which ſhall have been ſaved, or the proceeds of them, if being periſhable they ſhall have been ſold, being claimed within a year and a day, by the maſters or owners, or their agents or attornies, ſhall be reſtored, paying only the reaſonable charges, and that which muſt be paid, in the ſame caſe, for the ſalvage, by the proper ſubjects of the country: there ſhall alſo be delivered them ſafe conducts or paſſports, for their free and ſafe paſſage from thence, and to return each one to his own country.

Art. 17. In caſe the ſubjects or people of either party, with their ſhipping, whether public and of war, or private and of merchants, be forced through ſtreſs of weather,

ther, purſuit of pirates or enemies, or any other urgent neceſſity, for ſeeking of ſhelter and harbour, to retreat and enter into any of the rivers, creeks, bays, ports, roads or ſhores belonging to the other party, they ſhall be received with all humanity and kindneſs, and enjoy all friendly protection and help, and they ſhall be permitted to refreſh and provide themſelves at reaſonable rates, with victuals and all things needful for the ſuſtenance of their perſons, or reparation of their ſhips; and they ſhall no ways be detained or hindred from returning out of the ſaid ports or roads, but may remove and depart when and whither they pleaſe, without any let or hindrance.

Art. 18. For the better promoting of commerce on both ſides, it is agreed, that if a war ſhould break out between their High Mightineſſes the States General of the United Netherlands and the United States of America, there ſhall always be granted to the ſubjects on each ſide, the term of nine months after the date of the rupture, or the proclamation of war, to the end that they may retire with their effects, and tranſport them where they pleaſe, which it ſhall be lawful for them to do, as well as to ſell or tranſport their effects and goods in all freedom, and without any hindrance, and without being able to proceed during the ſaid term of nine months, to any arreſt of their effects, much leſs of their perſons; on the contrary, there ſhall be given them, for their veſſels and their effects which they would carry away, paſſports and ſafe conducts for the neareſt ports of their reſpective countries, and for the time neceſſary for the voyage; and no prize made at ſea ſhall be adjudged lawful, at leaſt if the declaration of war was not or could not be known in the laſt port which the veſſel taken has quitted; but for whatever may have been taken from the ſubjects and inhabitants of either party, and for the offences which may have been given them in the interval of the ſaid terms, a compleat ſatisfaction ſhall be given them.

Art. 19. No ſubject of their High Mightineſſes the States General of the United Netherlands, ſhall apply for or take any commiſſion or letters of marque for arming any ſhip or ſhips, to act as privateers againſt the ſaid United States of America or any of them, or the ſubjects and inhabitants of the ſaid United States or any of them, or againſt the property of the inhabitants of any of them,

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from any prince or ſtate with which the ſaid United States of America may happen to be at war; nor ſhall any ſubject or inhabitant of the ſaid United States of America, or any of them, apply for or take any commiſſion or letters of marque for arming any ſhip or ſhips, to act as privateers againſt the High and Mighty Lords the States General of the United Netherlands, or againſt the ſubjects of their High Mightineſſes or any of them, or againſt the property of any one of them, from any prince or ſtate with which their High Mightineſſes may be at war: and if any perſon of either nation ſhall take ſuch commiſſion or letters of marque, he ſhall be puniſhed as a pirate.

Art. 20. If the veſſels of the ſubjects or inhabitants of one of the parties, come upon any coaſt belonging to either of the ſaid allies, but not willing to enter into port, or being entered into port and not willing to unload their cargoes or break bulk, or take in any cargo, they ſhall not be obliged to pay neither for the veſſels nor the cargoes, any duties of entry in or out, nor to render any account of their cargoes, at leaſt if there is not juſt cauſe to preſume that they carry to an enemy, merchandizes of contraband.

Art. 21. The two contracting parties grant to each other mutually, the liberty of having each in the ports of the other, conſuls, vice-conſuls, agents and commiſſaries of their own appointing, whoſe functions ſhall be regulated by particular agreement, whenever either party chuſe to make ſuch appointments.

Art. 22. This treaty ſhall not be underſtood in any manner to derogate from the ninth, tenth, nineteenth and twenty-fourth articles of the treaty with France, as they were numbered in the ſame treaty, concluded the ſixth of February, 1778, and which make the articles ninth, tenth, ſeventeenth and twenty-ſecond of the treaty of commerce now ſubſiſting between the United States of America and the crown of France: nor ſhall it hinder his Catholic Majeſty from acceding to that treaty, and enjoying the advantages of the ſaid four articles.

Art. 23. If at any time the United States of America ſhall judge neceſſary to commence negociations with the king or emperor of Morocco and Fez, and with the regencies of Algiers, Tunis or Tripoli, or with any of them, to obtain paſſports for the ſecurity of their navigation in the

the Mediterranean ſea; their High Mightineſſes promiſe, that upon the requiſition which the United States of America ſhall make of it, they will ſecond ſuch negociations in the moſt favourable manner, by means of their conſuls reſiding near the ſaid king, emperor and regencies.

CONTRABAND.

Art. 24. The liberty of navigation and commerce ſhall extend to all ſorts of merchandizes, excepting only thoſe which are diſtinguiſhed under the name of contraband or merchandizes prohibited; and under this denomination of contraband and merchandizes prohibited, ſhall be comprehended only warlike ſtores and arms, as mortars, artillery with their artifices and appurtenances, fuſils, piſtols, bombs, grenades, gunpowder, ſaltpetre, ſulphur, match, bullets and balls, pikes, ſabres, lances, halberts, caſques, cuiraſſes, and other ſorts of arms; as alſo ſoldiers, horſes, ſaddles, and furniture for horſes. All other effects and merchandizes, not before ſpecified expreſſly, and even all ſorts of naval matters, however proper they may be for the conſtruction and equipment of veſſels of war, or for the manufacture of one or another ſort of machines of war, by land or ſea, ſhall not be judged contraband, neither by the letter, nor according to any pretended interpretation whatever, ought they or can they be comprehended under the notion of effects prohibited or contraband: ſo that all effects and merchandizes which are not expreſsly before named, may without any exception, and in perfect liberty, be tranſported by the ſubjects and inhabitants of both allies, from and to places belonging to the enemy, excepting only the places which at the ſame time ſhall be beſieged, blocked or inveſted, and thoſe places only ſhall be held for ſuch, which are ſurrounded nearly by ſome of the belligerent powers.

Art. 25. To the end that all diſſention and quarrel may be avoided and prevented, it has been agreed, that in caſe that one of the two parties happens to be at war, the veſſels belonging to the ſubjects or inhabitants of the other ally, ſhall be provided with ſea-letters or paſſports, expreſſing the name, the property and the burthen of the veſſel, as alſo the name and the place of abode of the maſter or commander of the ſaid veſſel, to the end that thereby it may appear that the veſſel really and

truly belongs to ſubjects or inhabitants of one of the parties; which paſſports ſhall be drawn and diſtributed according to the form annexed to this treaty; each time that the veſſel ſhall return, ſhe ſhould have ſuch her paſſport renewed, or at leaſt they ought not to be of more antient date than two years, before the veſſel has been returned to her own country.

It has been alſo agreed that ſuch veſſels, being loaded, ought to be provided not only with the ſaid paſſports or ſea-letters, but alſo with a general paſſport, or with particular paſſports or manifeſts, or other public documents, which are ordinarily given to veſſels outward-bound, in the ports from whence the veſſels have ſet ſail in the laſt place, containing a ſpecification of the cargo, of the place from whence the veſſel departed, and of that of her deſtination, or inſtead of all theſe, with certificates from the magiſtrates or governors of cities, places and colonies, from whence the veſſel came, given in the uſual form, to the end that it may be known whether there are any effects prohibited or contraband on board the veſſels, and whether they are deſtined to be carried to an enemy's country or not. And in caſe any one judges proper, to expreſs, in the ſaid documents, the perſons to whom the effects on board belong, he may do it freely, without however being bound to do it; and the omiſſion of ſuch expreſſion cannot and ought not to cauſe a confiſcation.

Art. 26. If the veſſels of the ſaid ſubjects, or inhabitants of either of the parties, ſailing along the coaſts or on the high ſeas, are met by a veſſel of war or privateer, or other armed veſſel of the other party, the ſaid veſſels of war, privateers or armed veſſels, for avoiding all diſorder, ſhall remain without the reach of cannon, but may ſend their boats on board the merchant veſſel which they ſhall meet in this manner, upon which they may not paſs more than two or three men, to whom the maſter or commander ſhall exhibit his paſſport, containing the property of the veſſel, according to the form annexed to this treaty; and the veſſel, after having exhibited ſuch a paſſport, ſea-letter and other documents, ſhall be free to continue her voyage, ſo that it ſhall not be lawful to moleſt her, or ſearch her in any manner, nor to give her chaſe, nor to force her to alter her courſe.

Art. 27. It ſhall be lawful for merchants, captains and commanders of veſſels, whether public and of war, or

private, and of merchants, belonging to the ſaid United States of America, or any of them, or to their ſubjects and inhabitants, to take freely into their ſervice, and receive on board of their veſſels, in any port or place in the juriſdiction of their High Mightineſſes aforeſaid, ſeamen or others, natives or inhabitants of any of the ſaid ſtates, upon ſuch conditions as they ſhall agree on, without being ſubject for this to any fine, penalty, puniſhment, proceſs or reprehenſion whatſoever: and reciprocally, all merchants, captains and commanders, belonging to the ſaid United Netherlands, ſhall enjoy, in all the ports and places under the obedience of the ſaid United States of America, the ſame privilege of engaging and receiving ſeamen or others, natives or inhabitants of any country of the domination of the ſaid States General; provided, that neither on one ſide nor the other, they may not take into their ſervice ſuch of their countrymen who have already engaged in the ſervice of the other party contracting, whether in war or trade, and whether they meet them by land or ſea; at leaſt, if the captains or maſters, under the command of whom ſuch perſons may be found, will not, of his own conſent, diſcharge them from their ſervice, upon pain of being otherwiſe treated and puniſhed as deſerters.

Art. 28. The affair of refraction ſhall be regulated in all equity and juſtice, by the magiſtrates of cities reſpectively, where it ſhall be judged that there is any room to complain in this reſpect.

Art. 29. The preſent treaty ſhall be ratified and approved by their High Mightineſſes, the States General of the United Netherlands, and by the United States of America, and the acts of ratification ſhall be delivered in good and due form on one ſide and on the other, in the ſpace of ſix months, or ſooner if poſſible, to be computed from the day of the ſignature.

In faith of which, we the deputies and plenipotentiaries of the Lords the States General of the United Netherlands, and the miniſter plenipotentiary of the United States of America, in virtue of our reſpective authorities and full powers, have ſigned the preſent treaty, and appoſed thereto the ſeals of our arms.

Done at the Hague, the 8th of October, 1782.

The form of the Paſſport which ſhall be given to ſhips and veſſels, in conſequence of the 25th article of this treaty.

TO ALL who ſhall ſee theſe preſents, greeting: Be it known, that leave and permiſſion are hereby given to master and commander of the ſhip or veſſel called of the burden of tons, or thereabouts, lying at preſent in the port or haven of bound for and laden with to depart and proceed with his ſaid ſhip or veſſel on his ſaid voyage; ſuch ſhip or veſſel having been viſited, and the ſaid maſter and commander having made oath before the proper officer, that the ſaid ſhip or veſſel belongs to one or more of the ſubjects, people or inhabitants of and to him or them only. In witneſs whereof, we have ſubſcribed our names to theſe preſents, and affixed the ſeal of our arms thereto, and cauſed the ſame to be counterſigned by at this day of in the year of our Lord Chriſt.

Form of the Certificate which ſhall be given to ſhips or veſſels in conſequence of the 25th article of this treaty.

WE, magiſtrates or officers of the cuſtoms of the city or port of do certify and atteſt, that on the day of in the year of our Lord C. D. of perſonally appeared before us, and declared by ſolemn oath, that the ſhip or veſſel called of tons or thereabouts, whereof of is at preſent maſter or commander, does rightfully and properly belong to him or them only; that ſhe is now bound from the city or port of to the port of laden with goods and merchandizes, here under particularly deſcribed and enumerated, as follows:

In witneſs whereof, we have ſigned this certificate, and ſealed it with the ſeal of our office, this day of in the year of our Lord Chriſt.

Form of the SEA LETTER.

MOST ſerene, ſerene, moſt puiſſant, puiſſant, high, illuſtrious, noble, honourable, venerable, wiſe and prudent lords, emperors, kings, republics, princes, dukes, earls

earls, barons, lords, burgomaſters, chepons, councillors, as alſo judges, officers, juſticiaries and regents, of all the good cities and places, whether eccleſiaſtical or ſecular, who ſhall ſee theſe patents, or hear them read :—We, burgomaſters and regents of the city of make known, that the maſter of appearing before us, has declared upon oath, that the veſſel called of the burthen of about laſts, which he at preſent navigates, is of the United Provinces, and that no ſubjects of the enemy have any part or portion therein, directly nor indirectly ; ſo may God Almighty help him : and as we wiſh to ſee the ſaid maſter proſper in his lawful affairs, our prayer is, to all the before mentioned, and to each of them ſeparately, where the ſaid maſter ſhall arrive with his veſſel and cargo, that they may pleaſe to receive the ſaid maſter with goodneſs, and to treat him in a becoming manner, permitting him upon the uſual tolls and expences, in paſſing and repaſſing, to paſs, navigate and frequent the ports, paſſes and territories, to the end to tranſact his buſineſs, where and in what manner he ſhall judge proper ; whereof we ſhall be willingly indebted.

In witneſs, and for cauſe whereof, we affix hereto the ſeal of this city

(In the Margin.)

By ordinance of the High and Mighty Lords the States General of the United Netherlands.

And whereas a convention, concerning veſſels recaptured, was at the place and on the day abovementioned, concluded by the ſaid miniſter plenipotentiary, on the part of theſe United States, with the ſaid plenipotentiaries on the part of the ſaid Lords, the States General of the United Netherlands ; and the ſame hath been this day approved and ratified by the United States in Congreſs aſſembled, as it is contained in the words following, to wit.

Convention between the Lords the States General of the United Netherlands and the United States of America, concerning veſſels recaptured.

THE Lords the States General of the United Netherlands, and the United States of America, being inclined to eſtabliſh ſome uniform principles, with relation to prizes

prizes made by veſſels of war, and commiſſioned by the two contracting powers, upon their common enemies, and to veſſels of the ſubjects of either party, captured by the enemy and recaptured by veſſels of war commiſſioned by either party; have agreed upon the following articles.

Art. 1. The veſſels of either of the two nations, recaptured by the privateers of the other, ſhall be reſtored to the firſt proprietor, if ſuch veſſels have not been four and twenty hours in the power of the enemy; provided the owner of the veſſel recaptured pay therefor one-third of the value of the veſſel, as alſo of that of the cargo, the cannons and apparel; which third ſhall be valued by agreement between the parties intereſted, or, if they cannot agree thereon among themſelves, they ſhall addreſs themſelves to the officers of the admiralty of the place where the privateer who has retaken the veſſel ſhall have conducted her.

Art. 2. If the veſſel recaptured has been more than twenty-four hours in the power of the enemy, ſhe ſhall belong entirely to the privateer who has retaken her.

Art. 3. In caſe a veſſel ſhall have been recaptured by a veſſel of war belonging to the States General of the United Netherlands, or to the United States of America, ſhe ſhall be reſtored to the firſt owner, he paying a thirtieth part of the value of the ſhip, her cargo cannons and apparel, if ſhe has been recaptured in the interval of twenty-four hours, and the tenth part if ſhe has been recaptured after the twenty-four hours; which ſums ſhall be diſtributed in form of gratifications to the crews of the veſſels which ſhall have retaken her. The valuation of the ſaid thirtieth parts and tenth parts, ſhall be regulated according to the tenor of the firſt article of the preſent convention.

Art. 4. The reſtitution of prizes, whether they may have been retaken by veſſels of war or by privateers, in the mean time, and until requiſite and ſufficient proofs can be given of the property of veſſels recaptured, ſhall be admitted in a reaſonable time, under ſufficient ſureties for the obſervation of the aforeſaid articles.

Art. 5. The veſſels of war and privateers of one and of the other of the two nations, ſhall be reciprocally, both in Europe and in the other parts of the world, admitted in the reſpective ports of each, with their prizes,

which

which may be unloaded and ſold according to the formalities uſed in the ſtate where the prize ſhall have been conducted, as far as may be conſiſtent with the 22d article of the treaty of commerce: provided always, that the legality of prizes, by the veſſels of the low-countries, ſhall be decided conformably to the laws and regulations eſtabliſhed in the United Netherlands; as likewiſe, that of prizes made by American veſſels, ſhall be judged according to the laws and regulations determined by the United States of America.

Art. 6. Moreover it ſhall be free for the States General of the United Netherlands, as well as for the United States of America, to make ſuch regulations as they ſhall judge neceſſary, relative to the conduct which their reſpective veſſels and privateers ought to hold in relation to the veſſels which they ſhall have taken and conducted into the ports of the two powers.

In faith of which, WE, the deputies and plenipotentiaries of the Lords the States General of the United Netherlands, and miniſter plenipotentiary of the United States of America, have in virtue of our reſpective authorities and full powers, ſigned theſe preſents, and confirmed the ſame with the ſeal of our arms.

Done at the Hague, the 8th of October, 1782.

NOW therefore, to the end that the ſaid treaty and convention may, with all good faith, be performed and obſerved on the part of theſe United States, all the citizens and inhabitants thereof, and more eſpecially all captains, and other officers and ſeamen belonging to any veſſels of war of theſe United States, or any of them, or of any private armed veſſels commiſſioned by Congreſs, are hereby enjoined and required to govern themſelves ſtrictly in all things according to the ſtipulations above recited.

DONE in Congreſs this twenty-third day of January, in the year of Our Lord one thouſand ſeven hundred and eighty-three, and of our ſovereignty and independence the ſeventh.

FRIDAY, JANUARY 24, 1783.

On the report of a committee, conſiſting of Mr. Rutledge, Mr. Wolcott and Mr. Madiſon. to whom was referred a memorial from John Hannum, Perſifor Frazer and Joſeph Gardner: Whereas

Whereas complaint hath been made to Congreſs by Perſifor Frazer, John Hannum and Joſeph Gardner, in behalf of themſelves and others, that there are good grounds, not only from former tranſactions, but for other reaſons, to believe that great abuſe has been attempted of a paſſport granted by the commander in chief, for the protection of cloathing and other neceſſaries ſent from New-York in the ſhip Amazon, for the uſe of Britiſh and German priſoners of war; and that private and unwarrantable advantages are intended, by introducing for ſale, under cover of the ſaid paſſport, a conſiderable quantity of Britiſh goods and merchandize:

Reſolved, That the aſſiſtant ſecretary at war be directed to cauſe the goods imported in the ſhip Amazon, and not delivered to the Britiſh or German priſoners of war, to be forthwith examined and compared with the paſſport under which they have been imported, by proper perſons; and that his excellency the preſident and the ſupreme executive council of the ſtate of Pennſylvania, be requeſted to nominate one of the ſaid perſons.

Reſolved, That the aſſiſtant ſecretary at war be directed to report to Congreſs the reſult of the ſaid enquiry, together with the number of the ſaid priſoners, and of the cloathing and other neceſſaries imported in the ſaid veſſel, which have been delivered for their uſe.

SATRUDAY, JANUARY 25, 1783.

The grand committee, conſiſting of a member from each ſtate; report,

"That they have conſidered the contents of a memorial preſented by the army, and find that they comprehend five different articles.

1ſt. Preſent pay.

2d. A ſettlement of accounts of the arrearages of pay and ſecurity for what is due.

3d. A commutation of the half pay allowed by different reſolutions of Congreſs for an equivalent in groſs.

4th. A ſettlement of the accounts of deficiencies of rations and compenſation.

5th. A ſettlement of the accounts of deficiencies of cloathing and compenſation: whereupon,

Reſolved, As to the firſt, that the ſuperintendant of finance be directed conformable to the meaſures already taken

taken for that purpoſe, as ſoon as the ſtate of the public finances will permit, to make ſuch payment and in ſuch manner as he ſhall think proper, until the further order of Congreſs.

Reſolved, With reſpect to the ſecond article, ſo far as relates to the ſettlement of accounts, that the ſeveral ſtates be called upon to compleat, without delay, the ſettlements with their reſpective lines of the army, up to the firſt day of Auguſt, 1780, and that the ſuperintendant of finance be directed to take ſuch meaſures as ſhall appear to him moſt proper for effecting the ſettlement from that period.

On a queſtion to ſubſtitute "the firſt day of Auguſt," for "the thirty-firſt day of December." The yeas and nays being required by Mr. Gilman,

New-Hampſhire,	Mr. Gilman	no	no
	Mr. White	no	
Maſſachuſetts,	Mr. Oſgood	no	no
	Mr. Gorham	no	
Rhode-Iſland,	Mr. Collins	no	no
	Mr. Arnold	no	
Connecticut,	Mr. Elſworth	ay	ay
	Mr. Wolcott	ay	
	Mr. Dyer	ay	
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Condict	ay	
Pennſylvania,	Mr. Mifflin	ay	ay
	Mr. Fitzſimmons	ay	
	Mr. Wilſon	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Delaware,	Mr. Dickinſon	ay	ay
	Mr. Wharton	ay	
Maryland,	Mr. Carroll	ay	*
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Naſh	ay	
	Mr. Williamſon	ay	

South-

South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Ramſay	ay	
	Mr. Izard	ay	
	Mr. Gervais	ay	

So it paſſed in the affirmative.

As to what relates to the providing of ſecurity for what ſhall be found due on ſuch ſettlement:

Reſolved, That the troops of the United States in common with all the creditors of the ſame, have an undoubted right to expect ſuch ſecurity; and that Congreſs will make every effort in their power to obtain from the reſpective States ſubſtantial funds, adequate to the object of funding the whole debt of the United States, and will enter upon an immediate and full conſideration of the nature of ſuch funds, and the moſt likely mode of obtaining them.

Ordered, That the remainder of the report be referred to a committee of five;

The members, Mr. Oſgood, Mr. Fitzſimmons, Mr. Gervais, Mr. Hamilton, Mr. Wilſon.

Ordered, That it be an order of the day for Monday next, to take into conſideration the means of obtaining from the ſeveral ſtates ſubſtantial funds, for funding the whole debt of the United States.

MONDAY, JANUARY 27, 1783.

Mr. Lee, a delegate for Virginia, attended and took his ſeat.

The delegates of Virginia laid before Congreſs an act of their legiſlature, repealing the act entitled "an act to enable the Congreſs of the United States to levy a duty on certain goods and merchandizes, and alſo on all prizes;" alſo ſundry reſolutions of the legiſlature.

Congreſs proceeded on the order of the day, but came to no reſolution thereon.

TUESDAY, JANUARY 28, 1783.

The commander in chief having in a letter of the 20th, informed Congreſs of the death of major-general lord Stirling.

On motion of Mr. Peters, ſeconded by Mr. Dickinſon:

Reſolved, That the preſident ſignify to the commander in chief, in a manner the moſt reſpectful to the memory of

of the late major general the earl of Stirling, the ſenſe Congreſs entertain of the early and meritorious exertions of that general in the common cauſe, and of the bravery, perſeverance and military talents he poſſeſſed; which having fixed their eſteem for his character, while living, induce a proportionate regret for the loſs of an officer who has rendered ſuch conſtant and important ſervices to his country.

Congreſs proceeded in the conſideration of the ſubject under debate yeſterday, agreeably to the order of the day, but came to no reſolution thereon.

WEDNESDAY, JANUARY 29, 1783.

Congreſs proceeded in the conſideration of the ſubject under debate yeſterday, agreeable to the order of the day; and,

On motion of Mr. Rutledge, ſeconded by Mr. Bland,

Reſolved, That Congreſs be reſolved into a committee of the whole, to conſider of the moſt effectual means of reſtoring and ſupporting public credit; and that the motion before the houſe be referred to that committee.

Reſolved, That whenever the houſe is reſolved into a committee of the whole, the chairman of the committee be elected by ballot.

The houſe was then reſolved into a committee of the whole for the purpoſe above mentioned.

Mr. Carroll was elected to the chair.

After ſome time the preſident reſumed the chair, and Mr. Carroll reported, that the committee of the whole had taken into conſideration the ſubject referred to them, and made ſome progreſs, but not having come to a concluſion, deſire leave to ſit again to-morrow.

Reſolved, That to-morrow morning Congreſs be again reſolved into a committee of the whole, to conſider farther the moſt effectual means of reſtoring and ſupporting public credit.

THURSDAY, JANUARY 30, 1783.

The committee, conſiſting of Mr. Carroll, Mr. Gorham, Mr. Fitzſimmons, Mr. Hamilton and Mr. Ramſay, to whom were referred the memorials of the repreſentatives of the commonwealth of Pennſylvania, of the 28th

of Auguſt and 12th of November laſt, repored an anſwer, which was agreed to as follows:

The memorial of the 28th of Auguſt, ſtates, that their conſtituents labour under grievances, becauſe they are not enabled to ſettle their accounts againſt the United States, and becauſe they cannot obtain payment of the debts due to them by the public, nor receive intereſt on loan-office certificates, dated ſubſequent to the month of February, 1778. It ſtates further, that apprehenſions had taken place, that the intereſt on certificates of a prior date, would be ſuſpended; that other ſtates made, and were making proviſion for aſcertaining and paying ſundry debts due to their citizens, and that the ſuſpenſion of payments complained of, was a material impediment to the collection of taxes; after which follows a requeſt that Congreſs will be pleaſed to deviſe and recommend ſuch general plan, as they ſhall think adequate and effectual, for ſettling and aſcertaining the unliquidated debts of the United States, and for paying the ſame, or at leaſt ſome part thereof, and alſo for the regular and punctual payment of the intereſt on all the public debts, as well on loan as otherwiſe, until the principal ſhall be finally diſcharged.

The ſubſequent memorial of the 12th of November, after referring particularly to the former, and obſerving that the buſineſs was yet uneffected, declares the aſſembly to be deeply impreſſed with the abſolute neceſſity, that ſpeedy and effectual meaſures be taken to afford relief to the public creditors, at leaſt ſo far as to liquidate and aſcertain their reſpective claims, and to ſecure to them the payment of the intereſt due thereon, until the principal be diſcharged; and then requeſts, that Congreſs will be pleaſed to give them ſuch information as will enable the houſe to judge what ſteps it may be proper to take, in order to afford that effectual relief to the public creditors in Pennſylvania, which they conceive it to be their indiſpenſible duty to procure.

On theſe memorials Congreſs remark,

That the objects to which they relate, muſt neceſſarily depend on the compliances of the ſeveral ſtates with the requiſitions of Congreſs:

That the intereſt payable by bills of exchange on loan-office certificates, continued until an expreſs declaration

made

made to Congreſs, that thoſe who ſhould draw bills for that purpoſe, muſt provide for the payment of them:

That Congreſs are not informed of any ſtate which has taken ſeparate meaſures for ſatisfying its own citizens who are public creditors; and that there does not appear a poſſibility of making ſuch a private and partial proviſion, becauſe the various certificates are principally made payable to the bearer of them, and have been transferred and negociated A proviſion for them by any ſtate, muſt therefore exclude the demands of many of its own citizens, or admit the demands of all:

That the attempts to pay any of the paſt debts, would form ſo heavy a deduction from the greateſt revenue which can be raiſed, as would totally obſtruct all preſent ſervice. Wherefore, the proviſion to be made at preſent, ought to be confined to the intereſt of the public debts:

That ſuch proviſion would afford eventual relief to the public creditors, and enable them to ſupport their ſhare of the public burthens, without appropriating the whole revenue which can be drawn from the people, to a payment of debts, and leaving thereby the public ſervice unprovided for, which would involve the ruin of all ranks, whether creditors or others:

That Congreſs are and have long been deeply impreſſed with the abſolute neceſſity, that ſpeedy and effectual meaſures ſhould be taken, firſt, to liquidate and aſcertain the public debts, and ſecondly, to ſecure the payment of the intereſt, until the principal could be diſcharged, as will appear from the following facts:

That for the firſt of theſe eſſential objects, Congreſs had made proviſion by their acts of the 20th and 27th of February laſt, and have reaſon to believe, from the information contained in a letter from the office of finance, dated the 3d of December following, and the report of a committee thereon (both which are annexed) that the plan adopted will ſpeedily be in an effectual train of execution throughout the United States:

That the duty of five per cent. was recommended by Congreſs ſo early as the 3d of February, 1781; but after a delay of near two years, Congreſs have the mortification to find, that one ſtate entirely refuſes its concurrence, that onother has withdrawn its aſſent once given, and that a third has returned no anſwer:

That

That when Congreſs received the determination of the ſtate of Rhode Iſland on that ſubject, they reſolved to ſend a ſolemn deputation to that ſtate, to induce a reconſideration of the meaſure. At the moment when the committee were about to depart, intelligence was received that Virginia had repealed the act formerly paſſed on that recommendation, which has placed the buſineſs on a new ground, and compelled Congreſs to take it up in a more extenſive view.

The inability of Congreſs to perform the engagements taken with the public creditors will readily appear, when it is conſidered how defective have been the compliances of the ſtates, in every period of the war.

Without recurring to details previous to the year 1782, it will be ſufficient to ſtate the ſituation of the finances for that year, which is as follows. Congreſs, by their reſolution of the 30th of October, 1781, demanded eight millions of dollars for the ſervice of the enſuing year. Without noticing the leſſer neglects of ther requiſition, the annexed account will ſhew, that only 420,031 29 90ths have been received.

The preciſe ſtate of monies in Europe cannot be aſcertained, until the final ſettlement of the accounts there; becauſe the bills drawn on Spain and Holland, having been finally paid, and made payable in France, the ſum in livres of thoſe which remained due at the cloſe of the year 1781, and which had been drawn in guilders and dollars, muſt depend on the different exchanges between Amſterdam, Madrid and Paris. But, according to the beſt accounts which can be obtained, the anticipations made in the funds for the year 1782, amounted at the cloſe of 1781, to four millions of livres. For the ſervice of that year, His Moſt Chriſtian Majeſty lent the United States ſix millions livres. In addition thereto, Mr. Adams opened a loan in Holland, for ten millions of livres but, by the laſt accounts from him, he had obtained only three millions; ſo that the whole ſum borrowed for the year 1782, being nine millions, there remained, after deducting the anticipations, only five millions, which, according to the courſe of exchange which has prevailed, will amount to 833,333 30-90ths dollars.

By the annexed account of the receipts and expenditures for the year 1781, it appears, that there were in

the

the treaſury, at the commencement of the year 1782, 292.453 69-90ths dollars; ſo that the whole amount of the ſums, which Congreſs have had to carry on the public buſineſs for the year 1782, is no more than 1,545,818 30-90ths dollars.

From the annexed eſtimates it will appear, that the pay of the American army, according to the preſent reduced eſtabliſhment, amounts to 3,038,795 32-90ths.
That the cloathing amounts to 1,165,263
That the rations, beſides thoſe iſſuable to priſoners, amount to 1,509,552

5,713,610 32 90ths.

So that the three branches of feeding, cloathing, and paying the army, on its preſent eſtabliſhment, would amount to 5,713,610 32-90ths, without entering into the other branches of ſervice, or conſidering the neceſſity of tents, firing, camp-utenſils, horſes, carriages, forage, military ſtores, hoſpital, and the like.

The incompetency of the revenue will appear from a compariſon of it with the ſums neceſſary for feeding and cloathing the army, which ſervices alone amount to above two millions and an half of dollars. And what muſt place the matter in a ſtill more ſtriking point of view, is, that the whole ſum, which Congreſs could command, was not ſufficient to pay the intereſt then due on the public debts. Every circumſtance therefore, which has hitherto retarded the meaſures which Congreſs have adopted for making proviſion for the public debts, has increaſed the neceſſity of making ſuch a proviſion. And therefore, notwithſtanding the diſcouraging obſtacles they have hitherto encountered, they conceive it a duty to themſelves, and to their conſtituents, to perſevere in their intentions, and to renew and extend their endeavours to procure the eſtabliſhment of revenues equal to the purpoſe of funding all the debts of the United States. And they think it proper to inform the aſſembly of Pennſylvania, that this ſubject is now before them, under ſolemn deliberation, and that the ready and early compliance of the legiſlature of Pennſylvania, with the recommendation of the 3d of February, 1781, aſſures Congreſs of the vigorous ſupport of that ſtate.

Among

Among the ſteps taken by Congreſs to ſecure the debts incurred for the common defence, they muſt not omit to mention the recommendation of the 6th of September, 1780, for a ceſſion of part of the weſtern territory, claimed by particular ſtates. In conſequence thereof New-York has made a ceſſion accepted by Congreſs, the nature of which will appear by the act herewith communicated.

Virginia and Connecticut have alſo made ceſſions, the acceptance of which have been hitherto delayed by peculiar circumſtances. Other ſtates claiming weſtern territory, have not yet complied with the recommendation. Congreſs cannot help calling the ſerious attention of the legiſlature of Pennſylvania, to that ſubject, which they conſider as of importance, not only as it may effect the public credit, but as it will contribute to give general ſatisfaction to the members of the union. They intend alſo to renew their inſtances with the other ſtates, on the ſame occaſion.

FRIDAY, JANUARY 31, 1783.

A grand committee, conſiſting of a member from each ſtate, to whom was referred the report of a committee on the mode of eſtimating the value of lands in the United States, with the buildings and improvements thereon, for the purpoſe mentioned in the articles of confederation; brought in a report, and the ſame being read:

Ordered, That it be referred to the committee of the whole.

Congreſs was then reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair, and Mr. Carroll reported, that the committee of the whole have had under their farther conſideration the ſubjects referred to them, and have made ſome progreſs, but not having come to a concluſion, deſire leave to ſit again on Monday:

Ordered, That leave be granted.

TUESDAY, FEBRUARY 4, 1783.

Mr. Samuel Holten, a delegate for the ſtate of Maſſachuſetts, attended and produced his credentials, by which it appears, that on the 4th of October, 1782, he was appointed

appointed a delegate to represent that commonwealth until the 5th day of November, 1783.

Congress was resolved into a committee of the whole, and after some time the president resumed the chair, and Mr. Carroll reported, that the committee had considered farther the subjects referred to them, and desire leave to sit again:

Ordered, That leave be granted.

WEDNESDAY, FEBRUARY 5, 1783.

On motion of Mr. Bland, seconded by Mr. Izard,

Resolved, That it be a rule of this house, that in a committee of the whole, the vote on every question which shall come before the commmittee of the whole, shall be taken by states.

Congress was resolved into a committee of the whole, and after some time the president resumed the chair, and Mr. Carroll reported, that the committee had taken under their further consideration the several matters referred to them, and have come to sundry resolutions which he was ordered to report; but that the committee, not having come to a conclusion, desire leave to sit again:

Ordered, That the committee have leave to sit again.

The resolutions reported from the committee of the whole, being received and read:

Ordered, That they be taken into consideration to-morrow.

THURSDAY, FEBRUARY 6, 1783.

Mr. John Francis Mercer, a delegate for the commonwealth of Virginia, attended and produced his credentials, by which it appears, that on the 18th of December, 1782, he was elected in the room of Edmund Randolph, esquire, resigned, to represent that state until the first Monday in November next.

According to order, the report of the committee of the whole was taken into consideration, and a proposition reported from the committee, being amended to read as follows:

"Whereas by the articles of confederation and perpetual union, it is agreed and declared, that the United States in Congress assembled shall have authority to ascertain

certain the neceſſary ſums of money to be raiſed for the ſervice of the United States, and to appropriate and apply the ſame for defraying the public expences; that all charges of war and all other expences that ſhall be incurred for the common defence or general welfare, and allowed by the United States in Congreſs aſſembled, ſhall be defrayed out of a common treaſury, which ſhall be ſupplied by the ſeveral ſtates, in proportion to the value of all land within each ſtate, granted to or ſurveyed for any perſon, as ſuch land, and the buildings and improvements thereon, ſhall be eſtimated according to ſuch mode as the United States in Congreſs aſſembled ſhall from time to time direct and appoint; and that the taxes for paying that proportion, ſhall be laid and levied by the authority and direction of the legiſlature of the ſeveral ſtates, within the time agreed on by the United States in Congreſs aſſembled.

In order that the treaſury of the United States may be ſupplied in the manner abovementioned, for defraying all the charges of war and other expences which have been or ſhall be incurred for the common defence or general welfare, and allowed by Congreſs, and that each ſtate may have due credit, according to the principle aforeſaid, for the ſums of money which it has furniſhed on the requiſitions of Congreſs, or for the ſervice of the United States:

Reſolved, That the legiſlatures of the ſeveral ſtates, be and they are hereby required to paſs laws, with ſuch clauſes and proviſions as may be neceſſary and effectual, for forming or dividing their reſpective ſtates into ſuch diſtricts as they may judge moſt convenient and proper, to procure an accurate eſtimate of the value of all lands in ſuch ſtate, granted to or ſurveyed for any perſon, and of the buildings and improvements thereon, appointing commiſſioners, principal freeholders, reſident in the diſtrict, where the land to be valued lies, to obtain ſuch valuation; and directing that the ſaid commiſſioners take an oath or affirmation, faithfully to execute the duties enjoined on them, that in each diſtrict, they return to the executive authority of the ſtate, a liſt or ſchedule of the names of the reſpective owners of all the land in ſuch diſtrict, which at the time of taking ſuch liſt ſhall have been granted to or ſurveyed for any perſon, together with an account of the quantity of ſuch land, and of the value in

ſpecie

ſpecie dollars of the ſame, and of the buildings and improvements thereon; and that the executive authority of the ſtate tranſmit to Congreſs, on or before the firſt day of January next, returns of the quantity of land in each diſtrict, and of the value of the ſaid land, and of the buildings and improvements thereon, together with copies of the laws paſſed by the legiſlature for the purpoſe aforeſaid, in order that Congreſs may examine ſuch eſtimates, and if they ſhall be approved of by them, that they may proceed to make ſuch requiſitions upon the reſpective ſtates, as ſhall be agreeable to the articles of confederation."

A motion was made by Mr. Hamilton, ſeconded by Mr. Fitzſimmons, to poſtpone the reſolution before the houſe, and to take into conſideration the following motion:

Whereas the carrying into execution the 8th article of the confederation, relative to a valuation of land, for aſcertaining the quotas of each ſtate towards the general expence, in a manner conſiſtent with juſtice to all the members of the union, and with ſuch accuracy as the importance of the ſubject demands, will neceſſarily be attended with very conſiderable expence, to which the preſent ſtate of the public finances is inadequate: and whereas in a matter ſo fundamental in the confederation, it is eſſential to the harmony and welfare of the United States, that the ſaid article ſhould be carried into effect with great care, circumſpection and impartiality, and a ſhort delay will be much leſs pernicious than a defective execution; therefore,

Reſolved, That Congreſs are under a neceſſity of deferring the attempt, to a period when the ſituation of the finances of the United States will admit of the neceſſary expence for effecting the object with as much preciſion and equity as poſſible; and that they will then proceed to ſuch valuation, by commiſſioners appointed by them and acting under their authority, upon principles uniform throughout the United States: that when this valuation is compleat, Congreſs will finally adjuſt the accounts of the United States with the ſtates ſeparately, agreeable to that ſtandard, making equitable allowances to ſuch ſtates as have been more immediate ſufferers by the war; and in the mean time will adhere, in the temporary adjuſtment of thoſe accounts, to the

proportions eſtabliſhed from time to time by the ſeveral requiſitions of Congreſs; that, for the information of Congreſs, in forming an eventual plan, thoſe ſtates which have already made valuations of their lands reſpectively, be requeſted to tranſmit to Congreſs the amount of ſuch valuations, with an explanation of the principles on which they have been made."

A diviſion was called for, and on the general queſtion to poſtpone the conſideration of the reſolution before the houſe, the yeas and nays being required by Mr. Hamilton,

New Hampſhire,	Mr. Gilman	*ay*	*divided*
	Mr. White	*no*	
Maſſachuſetts,	Mr. Holten	*no*	*no*
	Mr. Oſgood	*no*	
	Mr. Gorham	*no*	
Rhode-Iſland,	Mr. Collins	*ay*	*
Connecticut,	Mr. Wolcott	*ay*	*divided*
	Mr. Dyer	*no*	
New-York,	Mr. Floyd	*ay*	*ay*
	Mr. Hamilton	*ay*	
New Jerſey,	Mr. Boudinot	*no*	*ay*
	Mr. Condict	*ay*	
	Mr. Elmer	*ay*	
Pennſylvania,	Mr. Fitzſimmons	*ay*	*ay*
	Mr. Wilſon	*ay*	
	Mr. Montgomery	*ay*	
Maryland,	Mr. Carroll	*ay*	*
Virginia,	Mr. Jones	*ay*	*ay*
	Mr. Madiſon	*ay*	
	Mr. Bland	*no*	
	Mr. Mercer	*ay*	
North-Carolina,	Mr. Hawkins	*no*	*no*
	Mr. Williamſon	*no*	
South-Carolina,	Mr. Rutledge	*no*	*no*
	Mr. Ramſay	*no*	
	Mr. Izard	*no*	
	Mr. Gervais	*no*	

So the queſtion was loſt.

On the queſtion to agree to the reſolution, the yeas and nays being required by Mr. Gervais,

New-Hampſhire,	Mr. Gilman	*no*	*divided*
	Mr. White	*ay*	

Maſſachuſetts,

Maſſachuſetts,	Mr. Holten	ay	ay
	Mr. Oſgood	ay	
	Mr. Gorham	ay	
Connecticut,	Mr. Wolcott	ay	ay
	Mr. Dyer	ay	
New-York,	Mr. Floyd	no	no
	Mr. Hamilton	no	
New Jerſey,	Mr. Boudinot	ay	ay
	Mr. Condict	no	
	Mr. Elmer	ay	
Pennſylvania,	Mr. Fitzſimmons	no	no
	Mr. Wilſon	no	
Maryland,	Mr. Carroll	no	*
Virginia,	Mr. Jones	ay	divided
	Mr. Madiſon	no	
	Mr. Bland	ay	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr Williamſon	ay	
South Carolina,	Mr. Rutledge	ay	ay
	Mr. Ramſay	ay	
	Mr. Izard	ay	
	Mr. Gervais	ay	

So the queſtion was loſt.

FRIDAY, FEBRUARY 7, 1783.

On motion of Mr. Lee, ſeconded by Mr. Peters,

Reſolved, That the reſolution reported by the committee of the whole, which was under debate yeſterday, and on which a queſtion was taken and loſt, be reconſidered and recommitted.

Congreſs was then reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair, and Mr Carroll reported, that the committee have taken into conſideration the ſubject referred to them, but not having come to a concluſion, deſire leave to ſit again,

Ordered, That leave be granted.

SATRUDAY, FEBRUARY 8, 1783.

Congreſs was reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair, and Mr. Carroll reported, that the committee have farther conſidered

conſidered the ſubject referred to them, and made ſome progreſs, but not having come to a concluſion, deſire leave to ſit again:

Ordered, That leave be granted.

MONDAY, FEBRUARY 10, 1783.

The committee, conſiſting of Mr. Fitzſimmons, Mr. Elſworth, Mr. Gervais, Mr. Gorham and Mr. Hamilton, to whom were referred reſolutions of the general aſſembly of the commonwealth of Virginia, dated the 28th day of December, 1782, reſpecting the ſhipment of a quantity of tobacco, under paſſports granted by the ſecretary of Congreſs; report,

"That, having made the neceſſary enquiries, they find that Congreſs, by their act of the 11th of February, 1782, empowered their ſecretary to grant letters of paſſport and ſafe conduct for the exportation of tobacco to New York, on the conditions and under the limitations which, to the ſaid ſecretary and to the ſuperintendant of the finances of the United States, ſhould appear moſt proper and beneficial to the ſaid ſtates, being conſiſtent with the capitulation of York; and provided that permiſſions were not given for the exportation of tobacco beyond the produce of the ſales of the goods under the ſaid capitulation: that in purſuance of this act, the ſuperintendant of finance entered into an agreement with a certain George Eddy, agent for the merchants, capitulants aforeſaid, in the firſt inſtance, for the exportation of ſix hundred and eighty-five hogſheads of tobacco, for the produce of ſales of goods, amounting to twenty-four thouſand dollars, under conditions highly advantageous to the United States: that a ſecond agreement was made between the ſaid ſuperintendant of finance and the aforeſaid George Eddy, for tobacco, to the amount of twenty thouſand dollars, under terms ſubſtantially the ſame as the former, except that the ſuperintendant declined taking any direction of purchaſe of the latter, for reaſons aſſigned to this committee: that in conſequence of theſe agreements, the ſecretary of Congreſs forwarded to Mr. Daniel Clark, the agent appointed by the ſuperintendant, paſſports for the cargoes of two ſhips, called the Fame and New-York, with directions to fill up the exact quantity of tobacco ſhipped in each, and to procure

procure documents to ſhew that the quantity ſhipped did not amount to more than the ſums ſtated to have ariſen from ſales of goods under the aforeſaid capitulation, which amounted to forty-four thouſand and thirty-ſeven dollars and one third of a dollar: that it appears by the reſolutions of the general aſſembly of Virginia, that the whole quantity of tobacco ſhipped under thoſe paſſports, amounted to nine hundred and five hogſheads of tobacco, weighing 989,588 pounds, and that taking the aforeſaid ſum of 44,037 1-3d dollars, it appears there is not ſo much tobacco ſhipped as the ſales would warrant, the average value for each hogſhead amounting to 48 46-90ths dollars. Upon the whole of this buſineſs, therefore, the committee are of opinion, that the conduct of the ſuperintendant of finance, and of the ſecretary of Congreſs, was in all reſpects conformable to the reſolution of this houſe, under which they acted."

Reſolved, That Congreſs agree to the ſaid report.

On a report of the ſame committee to whom was referred a reſolution of the general aſſembly aforeſaid, reſpecting inſtructions to the commiſſioner appointed to ſettle the accounts of that ſtate with the United States:

Reſolved, That the ſuperintendant of finance be directed to inſtruct the commiſſioner appointed to ſettle the accounts of the ſtate of Virginia, with the United States, to receive ſuch proofs as ſhall be exhibited to him inſtead of the vouchers which have been loſt or deſtroyed in conſequence of the invaſion of the ſaid ſtate; and that he ſhall tranſmit to the ſuperintendant a ſpecial report upon all ſuch charges, which report ſhall be ſubmitted to Congreſs to be finally decided on.

Congreſs was then reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair, and Mr. Carroll reported that the committee have further conſidered the ſubject referred to them, and have come to ſundry reſolutions, which he was ordered to report, but that not having come to a concluſion, they deſire leave to ſit again.

Ordered, That leave be granted.

TUESDAY, FEBRUARY 11, 1783.

Congreſs took into conſideration the report from the committee of the whole, and ſundry amendments and additions being made thereto: *Ordered*,

Ordered, That it be referred to a committee of three: The members, Mr. Rutledge, Mr. Gorham, and Mr. Gilman.

WEDNESDAY, FEBRUARY 12, 1783.

Congreſs took into conſideration, a propoſition reported by the committee of the whole, in the words following: "That it is the opinion of Congreſs that the eſtabliſhment of permanent and adequate funds on taxes or duties, which ſhall operate generally, and on the whole in juſt proportion throughout the United States, are indiſpenſibly neceſſary towards doing compleat juſtice to the public creditors, for reſtoring public credit and for providing for the future exigencies of the war."

On the queſtion to agree to this propoſition, the yeas and nays being required by Mr. Wilſon.

New-Hampſhire,	Mr. Gilman	*ay*	*ay*
	Mr. White	*ay*	
Maſſachuſetts,	Mr. Holten	*ay*	*ay*
	Mr. Gorham	*ay*	
Rhode-Iſland,	Mr. Collins	*ay*	*divided*
	Mr. Arnold	*no*	
Connecticut,	Mr. Wolcott	*ay*	*ay*
	Mr. Dyer	*ay*	
New-York,	Mr. Floyd	*ay*	*ay*
	Mr. Hamilton	*ay*	
New-Jerſey,	Mr. Boudinot	*ay*	*ay*
	Mr. Elmer	*ay*	
	Mr. Condict	*ay*	
Pennſylvania,	Mr. Mifflin	*ay*	*ay*
	Mr. Fitzſimmons	*ay*	
	Mr. Wilſon,	*ay*	
	Mr. Montgomery	*ay*	
	Mr. Peters	*ay*	
Maryland,	Mr. Carroll	*ay*	*
Virginia,	Mr. Jones	*ay*	*divided*
	Mr. Madiſon	*ay*	
	Mr. Lee	*no*	
	Mr. Mercer	*no*	
North-Carolina,	Mr. Hawkins	*no*	*divided*
	Mr. Williamſon	*ay*	

South

South Carolina,	Mr. Rutledge	ay	ay
	Mr. Ramſay	ay	
	Mr. Izard	ay	
	Mr. Gervais	no	

So it was reſolved in the affirmative.

Congreſs was then reſolved into a committee of the whole, to conſider farther the means of reſtoring and ſupporting public credit, and of obtaining from the ſtates ſubſtantial funds for funding the whole debt of the United States, and after ſome time the preſident reſumed the chair, and Mr. Carroll reported, that the committee have conſidered the ſubjects referred to them, but not having come to a concluſion, deſire leave to ſit again to-morrow.

Ordered, That leave be granted.

FRIDAY, FEBRUARY 14, 1783.

The committee to whom was referred the report of the committee of the whole, with the amendments and additions, brought in a report, which was taken into conſideration, and the following paragraph being under debate, viz. "That the legiſlature of each ſtate be and they are hereby alſo required to cauſe the ſaid account to be tranſmitted and delivered to Congreſs, on or before the firſt day of January next, together with the name of ſuch perſon as the ſaid legiſlature ſhall chuſe to be a commiſſioner for eſtimating the value of all the lands in each of the United States, granted to or ſurveyed for every perſon, and of the buildings and improvements thereon."

A motion was made by Mr. Lee, ſeconded by Mr. Gervais, to poſtpone the propoſition under debate, in order to take up the following propoſition, to wit.

"That the ſeveral ſtates in the union be deſired to make returns to Congreſs, on or before the firſt day of January, 1784, of the value of all lands within their reſpective juriſdictions, and of the buildings and improvements on ſuch lands, agreeable to the 8th article of the confederation, the valuation to be made by commiſſioners appointed by the ſeveral ſtates, and acting on oath; and if either Congreſs or any ſtate in which the valuation was made, ſhall be diſſatisfied with it, the return ſhall undergo a reviſion by a court of commiſſioners, choſen

ſen and conſtituted as nearly as the caſe will admit according to the 9th article of the confederation, and the ſentence of ſuch commiſſioners ſhall be final."

A diviſion of the queſtion was called, ſo that the firſt queſtion may be for poſtponing generally: on this a queſtion of order was moved in the words following:

When a motion is made by a member to poſtpone a propoſition before the houſe, in order to take up another which he reads in his place, is it in order to call for a diviſion of ſuch motion?"

On this queſtion, the yeas and nays being required by Mr. Gilman,

New Hampſhire,	Mr. Gilman	ay	divided
	Mr. White	no	
Maſſachuſetts,	Mr. Holten	no	no
	Mr. Gorham	no	
Rhode-Iſland,	Mr. Collins	no	no
	Mr. Arnold	no	
Connecticut,	Mr. Wolcott	ay	divided
	Mr. Dyer	no	
New-York,	Mr. Floyd	no	divided
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Elmer	ay	
	Mr. Condict	no	
Pennſylvania,	Mr. Mifflin	no	no
	Mr. Fitzſimmons	no	
	Mr. Montgomery	no	
Maryland,	Mr. Carroll	ay	*
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	ay	
	Mr. Bland	no	
	Mr. Lee	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	ay	divide
	Mr. Williamſon	no	
South-Carolina,	Mr. Rutledge	no	no
	Mr. Ramſay	no	
	Mr. Izard	no	
	Mr. Gervais	no	

So it paſſed in the negative.

On the queſtion to agree to Mr. Lee's motion, the yeas and nays being required by Mr. Lee,

New:

New-Hampſhire,	Mr. Gilman	no	divided
	Mr. White	ay	
Maſſachuſetts,	Mr. Holten	no	no
	Mr. Gorham	no	
Rhode-Iſland,	Mr. Collins	ay	ay
	Mr. Arnold	ay	
Connecticut,	Mr. Wolcott	no	no
	Mr. Dyer	no	
New-York,	Mr. Floyd	no	no
	Mr. Hamilton	no	
New Jerſey,	Mr. Boudinot	ay	no
	Mr. Elmer	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Mifflin	no	no
	Mr. Fitzſimmons	ay	
	Mr. Wilſon	no	
	Mr. Montgomery	no	
Maryland,	Mr. Carroll	no	*
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Bland	no	
	Mr. Lee	ay	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Rutledge	no	no
	Mr. Ramſay	no	
	Mr. Izard	no	
	Mr. Gervais	ay	

So it paſſed in the negative.

MONDAY, FEBRUARY 17, 1783.

Congreſs reſumed the conſideration of the report of the committee on the report of the committee of the whole, and the proceedings of the houſe conſequent thereto; and the ſame being debated by paragraphs to read as follows:

"Whereas, by the articles of confederation and perpetual union, it is agreed and declared, that all charges of war and all other expences for the common defence or general welfare, allowed by the United States in Congreſs aſſembled, ſhall be defrayed out of a common treaſury, which ſhall be ſupplied by the ſeveral ſtates in proportion to the value of all land within each ſta-

granted to or ſurveyed for any perſon, as ſuch land and the buildings and improvements thereon, ſhall be eſtimated according to ſuch mode as the United States in Congreſs aſſembled ſhall from time to time direct and appoint:

Reſolved, That the legiſlature of each ſtate be and they are hereby required to take ſuch meaſures as ſhall be moſt effectual for obtaining a juſt and accurate account of the quantity of land in ſuch ſtate, granted to or ſurveyed for any perſon, the number of buildings thereon, diſtinguiſhing dwelling houſes from other buildings, and the number of its inhabitants, diſtinguiſhing white from black: that the legiſlature of each ſtate be and they are hereby alſo required to cauſe the ſaid account to be tranſmitted and delivered to Congreſs on or before the firſt day of January next, together with the name of ſuch perſon as the ſaid legiſlature ſhall chuſe to be a commiſſioner for eſtimating the value of all the lands in each of the United States, granted to or ſurveyed for any perſon, and of the buildings and improvements thereon: that Congreſs will, on the 2d day of January next, nominate by ballot, a commiſſioner for every ſtate which ſhall fail to nominate one, or whoſe commiſſioner ſhall not attend Congreſs on the ſaid firſt day of January: that a commiſſion ſhall thereupon be iſſued by Congreſs to the perſons ſo nominated, authoriſing and empowering them, or any nine of them, concurring in opinion, to make a juſt and true eſtimate of the value of all the lands in each of the United States, granted to or ſurveyed for any perſon, and of the buildings and improvements thereon; and to return ſuch eſtimate to Congreſs, to be ſubject to their examination and approbation: that the ſaid eſtimate, when approved by Congreſs, ſhall be a rule for adjuſting all accounts between the United States and the individual ſtates; that is, that each ſtate ſhall be debited for its juſt quota or proportion, on the principle aforeſaid, of the money theretofore advanced or paid, and of the amount in value of the ſupplies furniſhed by all the ſtates for the ſervice of the United States, and credited for the money advanced, and the amount in value of the ſupplies furniſhed by ſuch ſtate for the ſervice of the United States: that the ſaid eſtimate ſhall operate for a term not exceeding five years, as a rule for apportioning on the ſeveral ſtates the ſums which Congreſs ſhall from time to time deem neceſſary and requiſite

quiſite to be raiſed for ſupporting the public credit and contingent expences; and that the money which ſhall be paid from time to time by any ſtate into the continental treaſury, on account of ſuch quota or apportionment, be duly paſſed to the credit of ſuch ſtate, on the ſaid account.

On the queſtion to agree to this, the yeas and nays being required by Mr. Bland,

New Hampſhire,	Mr. Gilman	*ay*	*ay*
	Mr. White	*ay*	
Maſſachuſetts,	Mr. Holten	*ay*	*ay*
	Mr. Gorham	*ay*	
Rhode-Iſland,	Mr. Collins	*no*	*divided*
	Mr. Arnold	*ay*	
Connecticut,	Mr. Wolcott	*no*	*divided*
	Mr. Dyer	*ay*	
New-York,	Mr. Floyd	*no*	*no*
	Mr. Hamilton	*no*	
New Jerſey,	Mr. Boudinot	*no*	*no*
	Mr. Elmer	*ay*	
	Mr. Condict	*no*	
Pennſylvania,	Mr. Fitzſimmons	*ay*	*ay*
	Mr. Montgomery	*ay*	
	Mr. Peters	*ay*	
Maryland,	Mr. Carroll	*no*	*
Virginia,	Mr. Jones	*ay*	*ay*
	Mr. Madiſon	*no*	
	Mr. Bland	*ay*	
	Mr. Lee	*no*	
	Mr. Mercer	*ay*	
North-Carolina,	Mr. Hawkins	*ay*	*ay*
	Mr. Williamſon	*ay*	
South Carolina,	Mr. Rutledge	*ay*	*ay*
	Mr. Izard	*ay*	
	Mr. Gervais	*ay*	

So the queſtion was loſt.

A motion was then made by Mr. Dyer, ſeconded by Mr. Mercer, in the words following:

"Whereas by the 8th article of the confederation and perpetual union, it is agreed and declared, that all charges of war and all other expences, for the common defence or general welfare, allowed by the United States in Congreſs aſſembled, ſhall be defrayed out of a common treaſury, which ſhall be ſupplied by the ſeveral

States

ſtates, in proportion to the value of all land within each ſtate, granted to or ſurveyed for any perſon, as ſuch land and the buildings and improvements thereon, ſhall be eſtimated according to ſuch mode as the United States in Congreſs aſſembled, ſhall from time to time direct and appoint.

Reſolved, That the legiſlature of each ſtate, be and they are hereby required, to take ſuch meaſures as ſhall appear to them moſt effectual for obtaining a juſt and accurate account of the quantity of land in ſuch ſtate, granted to or ſurveyed for any perſon, the number of buildings thereon, diſtinguiſhing dwelling houſes from other buildings, and the number of its inhabitants, diſtinguiſhing white from black. That the legiſlature of each ſtate, be and they are hereby alſo required to cauſe the ſaid account to be tranſmitted and delivered to Congreſs, on or before the firſt day of March, 1784, and that Congreſs will, on the ſecond day of March, 1784, or at their next ſitting thereafter, appoint a grand commitee, conſiſting of a member preſent from each ſtate, to take into their conſideration the ſaid returns, any nine of whom concurring ſhall make a juſt and true eſtimate of the value of all the lands in each of the United States, granted to or ſurveyed for any perſon, and of the buildings and improvements thereon, and ſhall report ſuch eſtimate to Congreſs, to be ſubject only to their approbation or rejection. That the ſaid eſtimate, when approved by Congreſs, ſhall be a rule for adjuſting all accounts between the United States, and the individual ſtates, that is, each ſtate ſhall be debited for its juſt quota or proportion, on the principle aforeſaid, of the money theretofore advanced or paid, and of the amount in value of the ſupplies furniſhed by all the ſtates for the ſervice of the United States, and credited for the money advanced and the amount in value of the ſupplies furniſhed by ſuch ſtate, for the ſervice of the United States. That the ſaid eſtimate ſhall opperate for a term, not exceeding five years, as a rule for apportioning on the ſeveral ſtates the ſums which Congreſs ſhall from time to time deem neceſſary, and require to be raiſed for ſupporting the public credit and contingent expences, and that the money which ſhall be paid from time to time by any ſtate into the continental treaſury, on account of ſuch quota or apportionment, ſhall be duly paſſed to the credit of ſuch ſtate on the ſaid account."

On

On the queſtion to agree to the ſaid motion, the yeas and nays being required by Mr. Bland,

New-Hampſhire,	Mr. Gilman	*ay*	*ay*
	Mr. White	*ay*	
Maſſachuſetts,	Mr Holten	*ay*	*ay*
	Mr. Gorham	*ay*	
Rhode-Iſland,	Mr. Collins	*ay*	*ay*
	Mr. Arnold	*ay*	
Connecticut,	Mr. Wolcott	*ay*	*ay*
	Mr. Dyer	*ay*	
New-York,	Mr. Floyd	*no*	*no*
	Mr. Hamilton	*no*	
New-Jerſey,	Mr. Boudinot	*ay*	*ay*
	Mr. Elmer	*ay*	
	Mr. Condict	*ay*	
Pennſylvania,	Mr. Fitzſimmons	*ay*	*ay*
	Mr. Montgomery	*ay*	
	Mr. Peters	*ay*	
Maryland,	Mr. Carroll	*no*	*
Virginia,	Mr. Jones	*ay*	*ay*
	Mr. Madiſon	*no*	
	Mr. Bland	*ay*	
	Mr. Lee	*no*	
	Mr. Mercer	*av*	
North-Carolina,	Mr. Hawkins	*ay*	*ay*
	Mr Williamſon	*ay*	
South Carolina,	Mr. Rutledge	*ay*	*ay*
	Mr. Izard	*ay*	
	Mr. Gervais	*ay*	

So it was reſolved in the affirmative.

TUESDAY, FEBRUARY 18, 1783.

Congreſs was reſolved into a committee of the whole to conſider farther the means of reſtoring and ſupporting public credit, and of obtaining from the ſtates ſubſtantial funds for funding the whole debt of the United States, and after ſome time the preſident reſumed the chair, and Mr. Carroll reported, that the committee have taken into their further conſideration, the ſubject referred to them, and have come to ſundry reſolutions which he was directed to report, but that not having come to a concluſion deſire leave to ſit again:

Ordered, That leave be granted.

On

On motion of Mr. Bland, ſeconded by Mr. Hamilton:

Ordered, That the ſuperintendant of finance lay before Congreſs an eſtimate of the principle of the public debt to the firſt day of January, 1783, ſpecifying the foreign debt, the pay due to the army, the debt due on loan office certificates, the debt due on liquidated accounts for which certificates are iſſued, and alſo the ſuppoſed amount of the unliquidated debt,

On motion of the delegates from Connecticut, in purſuance of an inſtruction from the legiſlature of their ſtate:

Ordered, That the ſuperintendant of the finances, agent of marine, the ſecretary at war, and the ſecretary for foreign affairs, as it ſhall relate to their reſpective offices, lay before Congreſs an account of the names and titles of all officers and others, employed in the civil liſt department, and in the civil and military ſtaff; and alſo, of all miniſters however denominated, which are employed abroad, under the authority of the United States, ſpecifying in what ſtate or kingdom ſuch officers reſide, and alſo, what pay or ſalary is annexed to each of their reſpective offices, and likewiſe an account of all grants of half pay and of any gratuity or ſum of money or allowance for expences, or for any other matter to any officers or others, for paſt ſervices, which are not included in their pay eſtabliſhment.

THURSDAY, FEBRUARY 20, 1783.

Congreſs took into conſideration the report of the committee of the whole; and having ſpent ſome time thereon,

The houſe was again reſolved into a committee of the whole, to conſider farther the means of reſtoring and ſupporting public credit, and of obtaining from the ſtates ſubſtantial funds for funding the whole debt of the United States, and after ſome time the preſident reſumed the chair, and Mr. Carroll reported, that the committee have conſidered farther the ſubject referred to them, but not having come to a concluſion, deſire leave to ſit again:

Ordered, That leave be granted.

The

The aſſiſtant ſecretary at war having reported to Congreſs the reſult of his enquiry, reſpecting the goods imported in the ſhip Amazon, for the uſe of Britiſh and German priſoners of war, accompanied with a report of the commiſſioners appointed purſuant to the reſolutions of the 24th of January laſt:

Reſolved, That it does not appear to Congreſs that any abuſe has been made of the paſſport granted by the commander in chief, for the protection of cloathing and other neceſſaries ſent from New York in the ſhip Amazon, for the uſe of the Britiſh and German priſoners of war.

Reſolved, That the goods imported in the ſaid ſhip Amazon, and contained in the returns laid before Congreſs by the aſſiſtant ſecretary at war, are fully covered and protected by the ſaid paſſport, and ought to be ſent with all expedition, and without any let or hindrance, to the priſoners for whoſe uſe they were deſigned.

FRIDAY, FEBRUARY 21, 1783.

On motion of Mr. Rutledge, ſeconded by Mr. Williamſon,

Reſolved, That it be recommended to the ſtates of Delaware, Maryland and Georgia, to ſend delegates immediately to Congreſs, and to each ſtate in the union, to keep up a conſtant repreſentation.

On a report from the war office, on a motion of Mr. Gilman referred, Congreſs came to the following reſolution:

Whereas ſundry officers in the army of the United States, have been taken from the line to act in the departments of the general ſtaff, and are entitled to additional pay in conſequence thereof:

Reſolved, That it be and hereby is recommended to the ſeveral ſtates, to whom ſuch officers reſpectively belong, to adjuſt and diſcharge, on account of the United States, the deficiencies on the additional pay, to which they are entitled by the reſolutions of Congreſs, in the ſame manner, and to the ſame time they ſettle their accounts as officers in the line.

Congreſs was reſolved into a committee of the whole, to conſider further the means of reſtoring and ſupporting public

public credit, and of obtaining from the ſtates ſubſtantial funds for funding the whole debt of the United States, and after ſome time the preſident reſumed the chair, and Mr. Carroll reported, that the committee have taken into conſideration, the ſubject referred to them, and are of opinion, that the committee of the whole be diſcharged, and the buſineſs referred to a ſpecial committee:

Reſolved, That Congreſs agree to the ſaid report:

Ordered, That the committee conſiſt of five.

On motion of Mr. Ramſay, ſeconded by Mr. Izard:

Whereas the paſſport granted by the commander in chief to the ſhip Amazon, extended only to Wilmington in the ſtate of Delaware, and the ſaid ſhip being appointed to carry home ſundry citizens of South-Carolina now in Philadelphia, who were exiled from Charleſtown:

Reſolved, That the agent of marine be, and he is hereby authoriſed and directed, to give a paſſport and ſafe conduct to the ſaid ſhip Amazon, to proceed from Wilmington to Philadelphia, there to take on board the ſaid exiled citizens, with their ſervants and effects, and to proceed with them to Charleſtown, or any other port in the ſtate of South-Carolina.

TUESDAY, FEBRUARY 25, 1783.

Mr. William Hemſley, a delegate for the ſtate of Maryland, attended and produced his credentials, by which it appears, that he is choſen a delegate to Congreſs for that ſtate for the preſent year.

The committee, conſiſting of Mr. Oſgood, Mr. Fitzſimmons, Mr. Gervais, Mr. Hamilton and Mr. Wilſon, to whom were referred two paragraphs of the report of the grand committee, on a memorial from the officers of the army, having reported,

"That ſuch officers as are now in ſervice, and continue therein to the end of the war, ſhall be entitled to receive the ſum of years full pay, in money or ſecurities on intereſt at ſix per cent. per annum, inſtead of the half pay promiſed for life, by the reſolution of the 21ſt of October, 1780, provided that it be at the option of the lines of the reſpective ſtates, and not of officers individually in thoſe lines to accept or refuſe the ſame: that all officers who have retired from ſervice upon a promiſe of half pay for life, ſhall be entitled to the benefits

nefits of the above reſolution; provided alſo, that thoſe of the line of each ſtate, collectively, agree thereto: that the ſame commutation ſhall extend to the corps not belonging to the lines of particular ſtates, the acceptance or refuſal to be determined by corps: that all officers entitled to half pay for life, not included in the above reſolutions, may collectively agree to accept or refuſe the commutation: that with reſpect to the general officers, it ſhall be at their option, individually, to accept the commutation, or retain their right to the half pay: that the half-pay for life extend to the widows of ſuch officers as ſhall die in the ſervice, during their continuance as widows."

When this report was under debate, a motion was made by Mr. Gilman, ſeconded by Mr. Condict, that the conſideration of the report be poſtponed, in order to take into conſideration the following motion:

"Whereas in conſequence of the faithful ſervices of the officers in the army of the United States, and of their great ſufferings, not only on account of the deficiency of their pay, but on other accounts, Congreſs have, by divers reſolutions, promiſed them half-pay for life; and it being repreſented that it would be more agreeable to ſome of the ſtates and the officers thereto belonging, that a commutation of the ſaid half pay ſhould now be made, reſolved that it be and hereby is recommended to the ſeveral ſtates to ſettle with the officers who now belong or heretofore have belonged to their reſpective lines, and are entitled to half pay by the reſolutions of Congreſs, either by giving them ſecurity for the payment of the ſame as it may become due, or by commutation for ſuch ſum, in groſs, as may be mutually agreed on by each ſtate, and the officers to them reſpectively belonging: that each and every ſtate, which ſhall make compenſation to their officers, agreeably to the foregoing reſolution, ſhall be exonerated and fully and finally diſcharged from their reſpective proportions of all taxes and all other payments of monies whatſoever, on account of half pay to the officers belonging to the United States or any of them; provided always, that nothing in this reſolution ſhall extend to diſcharge any ſtate from paying their juſt proportion of the half pay which may be due to ſuch officers as have not heretofore or do not now belong to the line of any particular ſtate, or to the

officers belonging to any particular ſtate, which may by the events of the war be rendered unable to make ſuch compenſation: that the ſecretary at war be directed to report to Congreſs the names and rank of all ſuch officers as are entitled to half pay, and not included in the firſt of the foregoing reſolutions."

On the queſtion for poſtponing the report, in order to take up the above recited motion, the yeas and nays being required by Mr. Condict,

New Hampſhire,	Mr. Gilman	ay	ay
	Mr. White	ay	
Maſſachuſetts,	Mr. Holten	ay	*
Rhode-Iſland,	Mr. Collins	ay	*
Connecticut,	Mr. Wolcott	ay	ay
	Mr. Dyer	ay	
New-York,	Mr. Floyd	no	no
	Mr. Hamilton	no	
New-Jerſey,	Mr. Boudinot	no	divided
	Mr. Condict	ay	
Pennſylvania,	Mr. Fitzſimmons	no	no
	Mr. Montgomery	no	
Maryland,	Mr. Carroll	no	no
	Mr. Hemſley	no	
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Bland	no	
	Mr. Lee	no	
	Mr. Mercer	ay	
North Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Rutledge	no	no
	Mr. Ramſay	no	
	Mr. Izard	no	
	Mr. Gervais	no	

So it paſſed in the negative.

Ordered, That the farther conſideration of the report be poſtponed till to morrow.

On motion of Mr. Lee, ſeconded by Mr. Holten:

Ordered, That the ſecretary at war lay before Congreſs monthly returns of the officers and men who were actually in ſervice and pay of the United States during the year 1782.

WEDNESDAY,

WEDNESDAY, FEBRUARY 26, 1783.

On motion of Mr. Madiſon, ſeconded by Mr. Mercer:

Reſolved, That it be recommended to the executives of the ſeveral ſtates, whenever any outrages unauthoriſed by the laws of war, ſhall be committed on the perſons or properties of their reſpective citizens, by any perſons in the ſervice of the enemy, to tranſmit immediate information thereof to the commander in chief or the commanding officer of a ſeparate army, in order that the meaſures may be purſued which are pointed out in the reſolution of the 8th day of November 1782.

Congreſs reſumed the conſideration of the report of the committee, which was under debate yeſterday, when a motion was made by Mr. Hamilton, ſeconded by Mr. Peters, that the blank in the report be filled with the words "five and a half:"

And on the queſtion to agree to this motion, the yeas and nays being required by Mr. Hamilton,

New-Hampſhire,	Mr. Gilman	*no*	*no*
	Mr. White	*no*	
Maſſachuſetts,	Mr. Holten	*ay*	*divided*
	Mr. Gorham	*no*	
Rhode-Iſland,	Mr. Collins	*no*	*
Connecticut,	Mr. Wolcott	*no*	*no*
	Mr. Dyer	*no*	
New-York,	Mr. Floyd	*ay*	*ay*
	Mr. Hamilton	*ay*	
New-Jerſey,	Mr. Boudinot	*ay*	*divided*
	Mr. Condict	*no*	
Pennſylvania,	Mr. Mifflin	*ay*	*ay*
	Mr. Fitzſimmons	*ay*	
	Mr. Montgomery	*ay*	
	Mr. Peters	*ay*	
Maryland,	Mr. Carroll	*ay*	*ay*
	Mr. Hemſley	*ay*	
Virginia,	Mr. Jones	*ay*	*ay*
	Mr. Madiſon	*ay*	
	Mr. Bland	*ay*	
	Mr. Lee	*ay*	
	Mr. Mercer	*no*	
North Carolina,	Mr. Hawkins	*ay*	*ay*
	Mr. Williamſon	*ay*	

South.

South Carolina,	Mr. Rutledge	ay	ay
	Mr. Ramſay	ay	
	Mr. Izard	ay	
	Mr. Gervais	ay	

So the queſtion was loſt.

A motion was then made by Mr. Gorham, ſeconded by Mr. Bland, that the blank be filled with the word "five:"

And on the queſtion to agree to this motion, the yeas and nays being required by Mr. Bland,

New Hampſhire,	Mr. Gilman	no	no
	Mr. White	no	
Maſſachuſetts,	Mr. Holten	ay	ay
	Mr. Gorham	ay	
Rhode-Iſland,	Mr. Collins	no	*
Connecticut,	Mr. Wolcott	no	no
	Mr. Dyer	no	
New-York,	Mr Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	ay	divided
	Mr. Condict	no	
Pennſylvania,	Mr. Mifflin	ay	ay
	Mr. Fitzſimmons	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. Hemſley	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	ay	
	Mr. Lee	ay	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr Williamſon	ay	
South Carolina,	Mr. Rutledge	ay	ay
	Mr. Ramſay	ay	
	Mr Izard	ay	
	Mr. Gervais	ay	

So it was reſolved in the affirmative.

Ordered, That the farther conſideration of the report be poſtponed.

A letter of this day from the ſuperintendant of finance was read, ſtating that a number of thoſe who contracted engagements with him, place a perſonal reliance on him

him for the fulfilment of them: that as the time approaches fast when he will quit the office, namely the last of May, as mentioned in his letter of the 24th of January, he thinks it necessary to convey this information to those who have confided in him, and therefore praying that the injunction of secrecy on his letter of the 24th of January, may be taken off:

Ordered, That the injunction of secrecy, aforesaid be annulled, and that the letters be referred to a committee.

THURSDAY, FEBRUARY 27, 1783.

Mr. Stephen Higginson, a delegate for the state of Massachusetts, attended and produced the credentials of his appointment, by which it appears, that on the 24th of October, 1782, he was by joint ballot of the senate and house of representatives, elected a delegate to represent that commonwealth in the United States in Congress assembled, for one year, commencing the first Monday of November, 1782.

On a report of a grand committee, consisting of a member from each state, to whom was referred a petition of John Hall:

Resolved, That all those for the settlement of whose accounts no special provision hath heretofore been made, either by references to the states, or by the appointment of commissioners for states or departments, or otherwise, do settle their accounts at the treasury in the usual manner; and that any balances which may be found due to them, previous to the first day of January, 1782, be placed on interest in common with other debts due by the United States.

FRIDAY, FEBRUARY 28, 1783.

Congress resumed the consideration of the report of the committee, which was under debate on the 25th and 26th instant; and on the question to agree to the first part thereof, as amended, relative to officers now in service, the yeas and nays being required by Mr. Bland,

New Hampshire,	Mr. Gilman	*no*	*no*
	Mr. White	*no*	
Massachusetts,	Mr Holten	*ay*	*ay*
	Mr. Gorham	*ay*	
	Mr. Higginson	*ay*	

Rhode-

Rhode-Iſland,	Mr. Collins	no	no
	Mr. Arnold	no	
Connecticut,	Mr. Wolcott	ay	divided
	Mr. Dyer	no	
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	ay	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Mifflin	ay	ay
	Mr. Fitzſimmons	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. Hemſley	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	ay	
	Mr. Lee	no	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Ramſay	ay	
	Mr. Izard	ay	
	Mr. Gervais	ay	

There being only ſeven ſtates in the affirmative, a queſtion was moved by Mr. Bland, ſeconded by Mr. Madiſon;

"Is the propoſition on which the queſtion was juſt taken, for allowing a compoſition for half-pay, a propoſition which requires the aſſent of nine ſtates?"

And on this queſtion, the yeas and nays being required by Mr. Bland,

New-Hampſhire,	Mr. Gilman	ay	ay
	Mr. White	ay	
Maſſachuſetts,	Mr. Holten	ay	ay
	Mr. Oſgood	ay	
	Mr Gorham	ay	
	Mr. Higginſon	ay	
Rhode-Iſland,	Mr. Collins	ay	ay
	Mr. Arnold	ay	
Connecticut,	Mr. Wolcott	ay	divided
	Mr. Dyer	no	

New-

New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Mifflin	ay	ay
	Mr. Fitzſimmons	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. Hemſley	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	ay	
	Mr. Lee	ay	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Ramſay	ay	
	Mr. Izard	oy	
	Mr. Gervais	ay	

So it was reſolved in the affirmative; and conſequently the foregoing queſtion was loſt.

The committee, conſiſting of Mr. Williamſon, Mr. Dyer and Mr. Condict, to whom was referred a letter of the 18th from the ſecretary for foreign affairs, made a report, whereupon

Reſolved, That all letters to and from the heads of departments, on public ſervice are free, and ought not to be detained for want of the words *on public ſervice*, endorſed.

MONDAY, MARCH 3, 1783.

Mr. Thomas Sim Lee, a delegate for Maryland, attended, produced the credentials of his appointment for the current year, and took his ſeat in Congreſs.

On the report of the ſecretary at war, to whom was referred a memorial of colonel Shreve, late of the New-Jerſey line:

Reſolved, That the paymaſter, in adjuſting the accounts of colonel Shreve, late of the New-Jerſey line, be directed to continue his allowance of pay to the 31ſt of January, 1781.

On

On the report of the ſecretary at war, to whom was referred a memorial of captain Sumner:

Ordered, That the ſecretary at war iſſue to captain Sumner, the commiſſion of major, bearing date on the firſt day of October, 1782.

The committee, conſiſting of Mr. Rutledge, Mr. Madiſon and Mr. Peters, appointed in purſuance of a conference with a committee of the general aſſembly of the ſtate of Pennſylvania, to report an ordinance for amending the ordinance of the 5th of April, 1781, for eſtabliſhing courts for the trial of piracies and felonies committed on the high ſeas, reported the draught of an ordinance, which was read a firſt and ſecond time:

Ordered, That to-morrow be aſſigned for the third reading.

TUESDAY, MARCH 4, 1783.

A motion was made by Mr. Hamilton, ſeconded by Mr. Floyd:

"Whereas in the opinion of Congreſs, it is eſſential to thoſe principles of juſtice and liberality, which ought to govern the intercourſe between theſe ſtates, that in the final adjuſtment of accounts for the ſupplies or contributions of the ſtates reſpectively, towards the common expences in the courſe of the war, equitable allowances ſhould be made in favour of thoſe ſtates, parts of which have been at different periods in poſſeſſion of the enemy: And whereas the ſtrict application of the rule preſcribed by the 8th article of the confederation, as declared by the reſolution of the 17th of February, would operate greatly to the prejudice of ſuch ſtates and to the calamities of war, add an undue proportion of the public burthen.

Reſolved, That Congreſs will, in the application of the ſaid rule, make ſuch abatements in favour of the ſaid ſtates, as from a full conſideration of circumſtances ſhall appear to them juſt and equitable, for the time the ſaid parts of the ſaid ſtates may have been in poſſeſſion of the enemy."

A motion was made by Mr. Clarke, ſeconded by Mr. White, that the conſideration of the foregoing motion be poſtponed:

And on the queſtion for poſtponing, the yeas and nays being required by Mr. Hamilton,

New-

New-Hampſhire,	Mr. Gilman	ay	ay
	Mr. White	ay	
Maſſachuſetts,	Mr. Holten	ay	ay
	Mr. Oſgood	ay	
	Mr. Gorham	ay	
	Mr. Higginſon	ay	
Rhode Iſland,	Mr. Collins	no	*
Connecticut,	Mr. Wolcott	ay	divided
	Mr. Dyer	no	
New-York,	Mr. Floyd	no	no
	Mr. Hamilton	no	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Mifflin	no	no
	Mr. Fitzſimmons	no	
	Mr. Montgomery	ay	
	Mr. Peters	no	
Maryland,	Mr. T. S. Lee	ay	ay
	Mr. Carroll	ay	
	Mr. Hemſley	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	ay	
	Mr. A. Lee	ay	
	Mr. Mercer	ay	
North Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South Carolina,	Mr. Rutledge	no	no
	Mr. Izard	no	
	Mr. Gervais	no	

So the queſtion was loſt.

On the queſtion to agree to the firſt motion, the yeas and nays being required by Mr. Hamilton,

New-Hampſhire,	Mr. Gilman	no	no
	Mr. White	no	
Maſſachuſetts,	Mr. Holten	no	no
	Mr. Oſgood	no	
	Mr. Gorham	no	
	Mr. Higginſon	no	
Rhode-Iſland,	Mr. Collins	ay	*
Connecticut,	Mr. Wolcott	no	no
	Mr. Dyer	no	

New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Mifflin	no	divided
	Mr. Fitzſimmons	ay	
	Mr. Montgomery	no	
	Mr. Peters	ay	
Maryland,	Mr. T. S. Lee	no	no
	Mr. Carroll	no	
	Mr. Hemſley	no	
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Bland	no	
	Mr. Lee	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr Williamſon	no	
South Carolina,	Mr. Rutledge	no	no
	Mr. Izard	no	
	Mr. Gervais	no	

So it paſſed in the negative.

According to order the ordinance was read a third time, and paſſed as follows:

An Ordinance to amend an ordinance, entitled "An ordinance for eſtabliſhing courts for the trial of piracies and felonies committed on the high ſeas."

Be it ordained by the United States in Congreſs aſſembled, and by the authority of the ſame, that the juſtices of the ſupreme or ſuperior court of judicature, and the judge of the admiralty, or any two or more of them, including the judge of the admiralty in the ſeveral and reſpective ſtates; or in caſe there ſhall be ſeveral judges of the admiralty in a ſtate, the juſtices of the ſupreme or ſuperior court of judicature, and a judge of the admiralty, to be commiſſioned for that purpoſe by the executive power of ſuch ſtate, or any two of them, including a judge of the admiralty, are hereby conſtituted and appointed a court for hearing and trying all offenders who, in and by an ordinance entitled "an ordinance for eſtabliſhing courts for the trial of piracies and felonies committed on the high ſeas," paſſed the 5th day of April, one thouſand ſeven hundred and eighty-one, are triable

ble before the juſtices of the ſupreme or ſuperior court of judicature and judge of the court of admiralty of the ſeveral and reſpective ſtates, or any two or more of them; provided that nothing herein contained ſhall extend to proſecutions already commenced, which ſhall be determined in the ſame manner as if this ordinance had never been made. Done, &c.

WEDNESDY, MARCH 5, 1783.

The committee, conſiſting of Mr. Rutledge, Mr. Gorham and Mr. Wolcott, to whom were referred the letters of the 24th of January and 26th of February laſt, from the ſuperintendant of finance, having reported, "That it does not appear to the committee to be neceſſary that Congreſs ſhould take any immediate meaſures reſpecting the office of finance."

A motion was made by Mr. Bland, ſeconded by Mr. A. Lee, that the report of the committee be poſtponed, in order to take into conſideration the following motion: "That a committee be appointed to deviſe the moſt proper means of arranging the department of finance."

A motion was made by Mr. Rutledge, ſeconded by Mr. Holten, "that the report and motion be committed:"

And on the queſtion for commitment, the yeas and nays being required by Mr. Bland,

New-Hampſhire,	Mr. Gilman	*ay*	*
Maſſachuſetts,	Mr. Holten	*ay*	*ay*
	Mr. Oſgood	*ay*	
	Mr Gorham	*no*	
	Mr. Higginſon	*ay*	
Rhode-Iſland,	Mr. Collins	*ay*	*ay*
	Mr. Arnold	*ay*	
Connecticut,	Mr. Wolcott	*no*	*divided*
	Mr. Dyer	*ay*	
New-York,	Mr. Floyd	*no*	*no*
	Mr. Hamilton	*no*	
New-Jerſey,	Mr Boudinot	*no*	*ay*
	Mr. Clarke	*ay*	
	Mr. Condict	*ay*	
Pennſylvania,	Mr. Miffin	*ay*	*no*
	Mr. Fitzſimmons	*no*	
	Mr. Wilſon	*no*	
	Mr. Montgomery	*no*	
	Mr. Peters	*ay*	

Maryland,

Maryland,	Mr. T. S. Lee	ay	no
	Mr. Carroll	no	
	Mr. Hemſley	no	
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Bland	ay	
	Mr. Lee	ay	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	ay	divided
	Mr. Williamſon	no	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Izard	ay	
	Mr. Gervais	ay	

So the queſtion was loſt.

On the queſtion to agree to the motion of Mr. Bland, the yeas and nays being required by Mr. Bland,

New-Hampſhire,	Mr. Gilman	ay	*
Maſſachuſetts,	Mr. Holten	ay	divided
	Mr. Oſgood	no	
	Mr. Gorham	no	
	Mr. Higginſon	ay	
Rhode Iſland,	Mr. Collins	no	divided
	Mr. Arnold	ay	
Connecticut,	Mr. Wolcott	no	divided
	Mr. Dyer	ay	
New-York,	Mr. Floyd	no	no
	Mr. Hamilton	no	
New-Jerſey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	ay	
Pennſylvania,	Mr. Mifflin	ay	no
	Mr. Fitzſimmons	no	
	Mr. Wilſon	no	
	Mr. Montgomery	no	
	Mr. Peters	no	
Maryland,	Mr. T. S. Lee	ay	no
	Mr. Carroll	no	
	Mr. Hemſley	no	
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Bland	ay	
	Mr. A. Lee	ay	
	Mr. Mercer	no	

North-

North-Carolina,	Mr. Hawkins	ay	divided
	Mr. Williamſon	no	
South-Carolina,	Mr. Rutledge	no	ay
	Mr. Izard	ay	
	Mr. Gervais	ay	

So the queſtion was loſt.

A motion was then made by Mr. Williamſon, ſeconded by Mr. Gilman,

"That the report of the committee be poſtponed, in order to take into conſideration the following motion:

That a committee be appointed to deviſe the moſt proper ſteps to be taken in conſequence of the letters of the 24th of January and 26th of February, from the ſuperintendant of finance:"

And on the queſtion to agree to this, the yeas and nays being required by Mr. Gilman,

New Hampſhire,	Mr. Gilman	ay	*
Maſſachuſetts,	Mr. Holten	ay	ay
	Mr. Oſgood	ay	
	Mr. Gorham	no	
	Mr. Higginſon	ay	
Rhode-Iſland,	Mr. Collins	no	divided
	Mr. Arnold	ay	
Connecticut,	Mr. Wolcott	ay	ay
	Mr. Dyer	ay	
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	no	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Mifflin	ay	ay
	Mr. Fitzſimmons	ay	
	Mr. Wilſon	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Maryland,	Mr. T. S. Lee	ay	ay
	Mr. Carroll	ay	
	Mr. Hemſley	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	ay	
	Mr. A. Lee	ay	
	Mr. Mercer	ay	

North-

North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Izard	ay	
	Mr. Gervais	ay	

So it was reſolved in the affirmative.

On the queſtion,

Reſolved, That a committee of five be appointed to deviſe the moſt proper ſteps to be taken in conſequence of the letters of the 24th of January and 26th of February, from the ſuperintendant of finance.

THURSDAY, MARCH 6, 1783.

On the report of a committee, conſiſting of Mr. Holten, Mr. Peters and Mr. Collins, to whom was referred a letter of the 21ſt of February from the ſuperintendant of finance, on the caſe of colonel Gridley:

Ordered, That the letter from the ſuperintendant of finance, reſpecting the half-pay due to colonel Gridley, with its encloſures, be referred back to the ſuperintendant of finance, and that he be directed to take order therein, having regard in ſettlement with colonel Gridley, to any grants made to him by the ſtate of Maſſachuſetts, on account of his half-pay, the ſame being founded on a ſpecial contract made with colonel Gridley at the time he relinquiſhed his half-pay in the Britiſh army, to enter into the ſervice of the United States.

FRIDAY, MARCH 7, 1783.

On the report of a committee, conſiſting of Mr. Rutledge, Mr. Gorham and Mr. Fitzſimmons, to whom was referred a letter of the 14th of October laſt from doctor Franklin, ſo far as it relates to the mode of paying the ſalaries of the miniſters and other officers of the United States in Europe:

Reſolved, That the ſalaries of the miniſters and other officers of the United States in Europe, be eſtimated in future in dollars, at the rate of four ſhillings and ſix pence ſterling per dollar:

That they be paid in bills of exchange upon France or Holland, at the rate of five livres, five ſous tournois per dollar, without regard to the variations which may be occaſioned by the courſe of exchange:

That

That these resolutions retrospect to the first day of January, 1782, when the salaries of the said officers were made payable in America; and that the excess beyond the said net sum in bills of exchange, which has accrued or which shall accrue upon the quarter due on the first of January last, be carried to the credit of the United States, and accounted for by the secretary for foreign affairs, in the adjustment of the accounts of his department on the first day of April next.

On motion of Mr. Dyer, seconded by Mr. Wolcott,

Ordered, That the report of the committee to whom were referred two paragraphs of the report of the grand committee on a memorial from the officers of the army, be committed.

MONDAY, MARCH 10, 1783.

Mr. Eleazer M'Comb and Mr. Gunning Bedford, two delegates for the state of Delaware, attended and produced the credentials of their appointment, by which it appears, that on the 1st day of February, 1783, the honorable Cæsar Rodney, James Tilton, Eleazer M'Comb and Gunning Bedford, junior, esquires, were elected delegates to represent the said state in the Congress of the United States of America.

The committee, consisting of Mr. Carroll, Mr. Dyer and Mr. Mifflin, to whom was referred the report of the committee on two paragraphs of a report of the grand committee, brought in a report; and the report of the committee being taken into consideration and amended so as to read as follows:

"That such officers as are now in service, and continue therein to the end of the war, shall be entitled to receive the sum of five years full pay in money, or securities on interest at six per cent. per annum, at the option of Congress, instead of the half pay promised for life by the resolution of the 21st of October, 1780: the said securities to be such as shall be given to the other creditors of the United States; provided that it be at the option of the lines of the respective states, and not of officers individually in those lines, to accept or refuse the same: that all officers who have retired from service upon the promise of half-pay for life, shall be entitled to the benefits of the above resolution; provided that those of the

the line of each ſtate, collectively agree thereto: that the ſame commutation ſhall extend to the corps not belonging to the lines of particular ſtates, the acceptance or refuſal to be determined by corps: that all officers entitled to half-pay for life, not included in the above reſolution, may collectively agree to accept or refuſe the commutation."

On the queſtion to agree to the report, thus amended, the yeas and nays being required by Mr. Mercer,

New-Hampſhire,	Mr. Gilman	*no*	*no*
	Mr. White	*no*	
Maſſachuſetts,	Mr. Holten	*ay*	*ay*
	Mr. Oſgood	*ay*	
	Mr. Gorham	*ay*	
	Mr. Higginſon	*ay*	
Rhode-Iſland,	Mr. Collins	*no*	*no*
	Mr. Arnold	*no*	
Connecticut,	Mr. Wolcott	*ay*	*divided*
	Mr. Dyer	*no*	
New-York,	Mr. Floyd	*ay*	*ay*
	Mr. Hamilton	*ay*	
New-Jerſey,	Mr. Boudinot	*ay*	*no*
	Mr. Clarke	*no*	
	Mr. Condict	*no*	
Pennſylvania,	Mr. Miflin	*ay*	*ay*
	Mr. Fitzſimmons	*ay*	
	Mr. Wilſon	*ay*	
	Mr. Montgomery	*ay*	
	Mr. Peters	*ay*	
Delaware,	Mr. M'Comb	*ay*	*ay*
	Mr. Bedford	*ay*	
Maryland,	Mr. T. S. Lee	*ay*	*ay*
	Mr. Carroll	*ay*	
	Mr. Hemſley	*ay*	
Virginia,	Mr. Jones	*ay*	*ay*
	Mr. Madiſon	*ay*	
	Mr. Bland	*ay*	
	Mr. A. Lee	*ay*	
	Mr. Mercer	*no*	
North-Carolina,	Mr. Hawkins	*ay*	*ay*
	Mr. Williamſon	*ay*	
South-Carolina,	Mr. Rutledge	*ay*	*ay*
	Mr. Ramſay	*ay*	
	Mr. Izard	*ay*	

So the queſtion was loſt.

TUESDAY,

TUESDAY, MARCH 18, 1783.

On the report of a committee, consisting of Mr. Gilman, Mr. Dyer, Mr. Clarke, Mr. Rutledge and Mr. Mercer, to whom was referred a letter of the 12th from the commander in chief:

Ordered, That the superintendant of finance lay before Congress an account of the payments made to the army, in consequence of the resolution of the 25th day of January last, and what sums the state of the public finances will enable him to pay to the army at present; and also that he communicate to Congress what steps have been taken towards settling the accounts of the army since the said resolution.

The committee, consisting of Mr. Gorham, Mr. Collins and Mr. Fitzsimmons, to whom was referred a memorial of the inhabitants of Nantucket, reported the draught of an ordinance, which was read a first time:

Ordered, That it be read a second time to-morrow.

The committee, consisting of Mr. Gorham, Mr. Hamilton, Mr. Madison, Mr. Fitzsimmons and Mr. Rutledge, appointed to consider the means of restoring and supporting public credit, and of obtaining from the states substantial funds for funding the whole debt of the United States, having brought in a report; and the same being under consideration,

A motion was made by Mr. Wilson, seconded by Mr. Hamilton, to add thereto as follows: "Also a tax of one quarter of a dollar per hundred acres on all located and surveyed land within each of the states:"

And on the question to agree to the motion, the yeas and nays being required by Mr. Wilson,

New-Hampshire,	Mr. Gilman	*no*	*no*
	Mr. White	*no*	
Massachusetts,	Mr. Holten	*no*	*no*
	Mr. Osgood	*ay*	
	Mr. Higginson	*no*	
Rhode-Island,	Mr. Collins	*ay*	*divided*
	Mr. Arnold	*no*	
Connecticut,	Mr. Wolcott	*no*	*divided*
	Mr. Dyer	*ay*	
New-York,	Mr. Floyd	*ay*	*ay*
	Mr. Hamilton	*ay*	

New-Jerſey,	Mr. Boudinot	*ay*	*ay*
	Mr. Clarke	*no*	
	Mr. Condict	*ay*	
Pennſylvania,	Mr. Fitzſimmons	*ay*	*ay*
	Mr. Wilſon	*ay*	
	Mr. Montgomery	*ay*	
Delware,	Mr. M'Comb	*ay*	*ay*
	Mr. Bedford	*ay*	
Maryland,	Mr. T. S. Lee	*no*	*no*
	Mr. Hemſley	*no*	
Virginia,	Mr. Jones	*no*	*no*
	Mr. Madiſon	*no*	
	Mr. Bland	*no*	
	Mr. A. Lee	*no*	
	Mr. Mercer	*no*	
North-Carolina,	Mr. Hawkins	*no*	*no*
	Mr. Williamſon	*no*	
South-Carolina,	Mr. Rutledge	*no*	*no*
	Mr. Izard	*no*	
	Mr. Gervais	*no*	

So it paſſed in the negative.

WEDNESDAY, MARCH 19, 1783.

According to the order of the day, the ordinance on the memorial of the inhabitants of Nantucket, was read a ſecond time:

Ordered, That to-morrow be aſſigned for the third reading.

THURSDAY, MARCH 20, 1783.

On the third reading of the ordinance on the memorial of the inhabitants of Nantucket:

Ordered, That it be recommitted.

The report of the committee, appointed to conſider the means of reſtoring and ſupporting public credit, and of obtaining from the ſtates ſubſtantial funds for funding the whole debt of the United States, being under debate, and being in the words following, to wit.

"*Reſolved*, That it be recommended to the ſeveral ſtates, as indiſpenſibly neceſſary to the reſtoration of public credit, and to the punctual and honourable diſcharge of the public debts, to inveſt in the United States in Congreſs aſſembled, a power to levy for the uſe of the United States, the following duties upon goods imported into the ſaid ſtates from any foreign port, iſland or plantation:

Upon

Upon all rum of Jamaica proof per gallon,	4 90
Upon all other ſpirituous liquors,	3-90
Upon Madeira wine,	12-90
Upon wines of Liſbon, Oporto, thoſe called ſherry, and upon all French wines,	6 90
Upon wines called Malaga or Teneriffe,	5 90
Upon all other wines,	4 90
Upon common bohea tea per pound,	6-90
Upon all other teas,	24-90
Upon pepper per pound,	3 90
Upon brown ſugar per pound,	1-2-90
Upon loaf ſugar per pound,	2-90
Upon all other ſugars,	1 90
Upon molaſſes per gallon,	1-90
Upon cocoa and coffee per pound,	1 90

Upon ſalt, after the preſent war, 1-8th of a dollar per buſhel.

And upon all other goods, except arms, ammunition and cloathing, or other articles imported for the United States, a duty of five per cent. ad valorem; provided that there be allowed a bounty of 1-8th of a dollar for every quintal of dried fiſh exported out of theſe United States, and a like ſum for every barrel of pickled fiſh, beef or pork, to be paid or allowed to the exporters thereof, at the ports from which they ſhall be ſo exported:

Provided, That none of the ſaid duties ſhall be applied to any other purpoſe than the diſcharge of the intereſt or principal of the debts which ſhall have been contracted on the faith of the United States, for ſupporting the preſent war, nor be continued for a longer term than 25 years: and provided, that the collectors of the ſaid duties ſhall be appointed by the ſtates, within which their offices are to be reſpectively exerciſed, but when ſo appointed, ſhall be amenable to, and removeable by the United States in Congreſs aſſembled, alone, and in caſe any ſtate ſhall not make ſuch appointment within after notice given for that purpoſe, the appointment may then be made by the United States in Congreſs aſſembled:

That it be further recommended to the ſeveral ſtates, to eſtabliſh for a like term, not exceeding 25 years, and to appropriate to the diſcharge of the intereſt and principal of the debts which ſhall have been contracted on the faith of the United States, for ſupporting the preſent war, ſubſtantial and effectual revenues, of ſuch nature as they may

may reſpectively judge moſt convenient, to the amount of and in the proportions following, viz.

The ſaid revenues to be collected by perſons appointed as aforeſaid, but to be carried to the ſeparate credit of the ſtates within which they ſhall be collected, and be liquidated and adjuſted among the ſtates, according to the quotas which may from time to time be allotted to them:

That an annual account of the proceeds and application of the aforementioned revenues, ſhall be made out and tranſmitted to the ſeveral ſtates, diſtinguiſhing the proceeds of each of the ſpecified articles, and the amount of the whole revenue received from each ſtate:

That none of the preceding reſolutions ſhall take effect until all of them ſhall be acceded to by every ſtate; after which unanimous acceſſion, however, they ſhall be conſidered as forming a mutual compact among all the ſtates, and ſhall be irrevocable by any one or more of them, without the concurrence of the whole, or of a majority of the United States in Congreſs aſſembled:

That as a further mean, as well of haſtening the extinguiſhment of the debts, as of eſtabliſhing the harmony of the United States, it be recommended to the ſtates which have paſſed no acts towards complying with the reſolutions of Congreſs of the 6th of September, and the 10th of October, 1780, relative to territorial ceſſions, to make the liberal ceſſions therein recommended, and to the ſtates which may have paſſed acts complying with the ſaid reſolutions in part only, to reviſe and compleat ſuch compliance:

That in order to remove all objections againſt a retroſpective application of the conſtitutional rule, of proportioning to the ſeveral ſtates, the charges and expences which ſhall have been ſupplied for the common defence or general welfare, it be recommended to them to enable Congreſs to make ſuch equitable exceptions and abatements as the particular circumſtances of the ſtates, from time to time, during the war, may be found to require.

That conformably to the liberal principles on which theſe recommendations are founded, and with a view to a more amicable, compleat adjuſtment of all accounts between the United States and individual ſtates, all reaſonable

ſonable expences which ſhall have been incurred by the ſtates without the ſanction of Congreſs, in their defence againſt, or attacks upon Britiſh or Savage enemies, either by ſea or by land, and which ſhall be ſupported by ſatisfactory proofs, ſhall be conſidered as part of the common charges incident to the preſent war, and be allowed as ſuch:

That as a more convenient and certain rule of aſcertaining the proportions to be ſupplied by the ſtates reſpectively, to the common treaſury, the following alteration in the articles of confederation and perpetual union between theſe ſtates, be and the ſame is hereby agreed to in Congreſs, and the ſeveral ſtates are adviſed to authoriſe their reſpective delegates to ſubſcribe and ratify the ſame, as part of the ſaid inſtrument of union, in the words following, to wit.

So much of the eighth of the articles of confederation and perpetual union between the thirteen ſtates of America, as is contained in the words following, to wit. "All charges of war," &c. (to the end of the paragraph) is hereby revoked and made void; and in place thereof, it is declared and concluded, the ſame having been agreed to in a Congreſs of the United States, that all charges of war, and all other expences that ſhall be incurred for the common defence or general welfare, and allowed by the United States in Congreſs aſſembled, ſhall be defrayed out of a common treaſury, which ſhall be ſupplied by the ſeveral ſtates, in proportion to the number of inhabitants of every age, ſex and condition, except Indians, not paying taxes, in each ſtate; which number ſhall be triennially taken and tranſmitted to the United States in Congreſs aſſembled, in ſuch mode as they ſhall direct and appoint; provided always, that in ſuch numeration no perſons ſhall be included who are bound to ſervitude for life, according to the laws of the ſtate to which they belong, other than ſuch as may be between the ages of

."

A motion was made by Mr. Hamilton, ſeconded by Mr. Wilſon, that the report of the committee be poſtponed, in order to take up the following plan and recommendation:

"Whereas Congreſs did, on the 12th day of February laſt, reſolve "that it is the opinion of Congreſs, that the eſtabliſhment of permanent and adequate funds, on taxes

or

or duties which ſhall operate generally, and on the whole in juſt proportions throughout the United States, are indiſpenſibly neceſſary towards doing compleat juſtice to the public creditors, for reſtoring public credit, and for providing for the future exigencies of the war."

And whereas it is the duty of Congreſs, on whoſe faith the public debts have been contracted for the common ſafety, to make every effort in their power for the effectual attainment of objects ſo eſſential to the honour and welfare of the United States, relying on the wiſdom and juſtice of their conſtituents for a compliance with their recommendations; therefore,

Reſolved, That it be earneſtly recommended to the ſeveral ſtates, without delay, to paſs laws for the eſtabliſhment of the following funds to be veſted in the United States, and to be collected and appropriated by their authority; provided that the officers for the collection of the ſaid funds, ſhall be inhabitants of each ſtate reſpectively in which they reſide, and being nominated by Congreſs, ſhall be approved and appointed by ſuch ſtate, accountable to and removeable by Congreſs; and provided that if after any nomination being reported to the ſtate, the ſame is not approved or rejected at the next meeting of the legiſlature, the perſon or perſons ſo nominated, ſhall be deemed to be duly appointed, to wit.

A duty of five per cent. ad valorem at the time and place of importation, upon all goods, wares and merchandizes of foreign growth and manufactures, which may be imported into any of the ſaid ſtates from any foreign port, iſland or plantation, except arms, ammunition, cloathing and other articles imported on account of the United States or any of them; and except wool cards, cotton cards and wire for making them; and alſo except the articles hereafter enumerated, the duty on which ſhall be regulated according to the ſpecified rates thereunto annexed.

All rum of Jamaica proof per gallon, 4·90

[The ſpecifics mentioned in the report to be inſerted.]

Alſo a duty of five per cent. ad valorem on all prizes and prize goods, condemned in the court of admiralty of any of theſe ſtates as lawful prize:

A land tax at the rate of ninetieths of a dollar for every 100 acres of located and ſurveyed land:

A houſe

A houſe tax at the general rate of half a dollar for each dwelling houſe (cottages excepted) and at the additional rate of two and a half per cent. on whatever ſum the rent of the ſaid houſe may exceed twenty dollars, to be calculated on the actual rent, when the houſe is rented, and when in the occupancy of the owner, on an appraiſed rent by commiſſioners under oath, appointed by the ſtate once in years; the lot and the appurtenances in towns, and in the country, the out houſes, garden and orchard, to be comprehended with the dwelling houſe. The duties on imports to paſs to the general benefit of the United States, without credit for the proceeds to any particular ſtates; but the product of the land and houſe taxes to be credited to each ſtate in which they ſhall ariſe. The ſaid funds to continue till the principal of the debt due by the United States at the termination of the preſent war ſhall be finally diſcharged.

That an eſtimate be tranſmitted to each ſtate of the amount of the public debt as far as the ſame can be aſcertained; and that Congreſs will inviolably adhere to their reſolutions of the 16th day of December laſt, reſpecting the appropriation of any funds which may be granted, and the annual tranſmiſſion of the ſtate of the public debt, and the proceeds and diſpoſition of the ſaid funds; by which all doubts and apprehenſions, reſpecting the perpetuity of the public debt, may be effectually removed:

That none of the preceding reſolutions ſhall take effect, &c. (in the words of the report, to the end.)

And on the queſtion for poſtponing, the yeas and nays being required by Mr. Hamilton,

New-Hampſhire,	Mr. Gilman	*no*	*no*
	Mr. White	*no*	
Maſſachuſetts,	Mr. Holten	*ay*	*no*
	Mr. Oſgood	*no*	
	Mr. Gorham	*no*	
	Mr. Higginſon	*no*	
Rhode-Iſland,	Mr. Collins	*no*	*no*
	Mr. Arnold	*no*	
Connecticut,	Mr. Wolcott	*ay*	*ay*
	Mr. Dyer	*ay*	
New-York,	Mr. Floyd	*ay*	*ay*
	Mr. Hamilton	*ay*	

New-

New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Fitzſimmons	no	ay
	Mr. Wilſon	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Delaware,	Mr. M'Comb	ay	divided
	Mr. Bedford	no	
Maryland,	Mr. T. S. Lee	no	no
	Mr. Hemſley	no	
Virginia,	Mr. Madiſon	no	no
	Mr. Bland	ay	
	Mr. Lee	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Rutledge	ay	no
	Mr. Izard	no	
	Mr. Gervais	no	

So it paſſed in the negative.

FRIDAY, MARCH 21, 1783.

Congreſs reſumed the conſideration of the report of the committee on the means of reſtoring and ſupporting public credit, and of obtaining from the ſtates ſubſtantial funds for funding the whole debt of the United States, and three paragraphs of the report, beginning with the worſts "That it be further recommended" to the words "whole revenue received from each ſtate" inclusively, being recommitted;

A motion was made by Mr. Clarke, ſeconded by Mr. Bland,

"That Congreſs now take up and compleat that part of the report for ſupporting and eſtabliſhing public credit which relates to the raiſing a revenue by impoſts upon imported goods and merchandize:"

And on the queſtion to agree to this, the yeas and nays being required by Mr. Bland,

New-Hampſhire,	Mr. Gilman	ay	divided
	Mr. White	no	
Maſſachuſetts,	Mr. Holten	ay	no
	Mr. Oſgood	no	
	Mr. Gorham	no	
	Mr. Higginſon	no	Rhode

Rhode-Iſland,	Mr. Arnold	*no*	*
Connecticut,	Mr. Wolcott	*no*	*no*
	Mr. Dyer	*no*	
New-York,	Mr. Floyd	*no*	*no*
	Mr. Hamilton	*no*	
New-Jerſey,	Mr. Boudinot	*no*	*ay*
	Mr. Clarke	*ay*	
	Mr. Condict	*ay*	
Pennſylvania,	Mr. Fitzſimmons	*no*	*no*
	Mr. Wilſon	*no*	
	Mr. Montgomery	*no*	
	Mr. Peters	*no*	
Delaware,	Mr. M'Comb	*ay*	*ay*
	Mr. Bedford	*ay*	
Maryland,	Mr. T. S. Lee	*no*	*no*
	Mr. Hemſley	*no*	
Virginia,	Mr. Madiſon	*no*	*divided*
	Mr. Bland	*ay*	
	Mr. A. Lee	*ay*	
	Mr. Mercer	*no*	
North-Carolina,	Mr. Hawkins	*ay*	*divided*
	Mr. Williamſon	*no*	
South-Carolina,	Mr. Rutledge	*no*	*no*
	Mr. Izard	*no*	
	Mr. Gervais	*no*	

So it paſſed in the negative.

SATURDAY, MARCH 22, 1783.

The committee, conſiſting of Mr. Gorham, Mr. Collins and Mr. Fitzſimmons, to whom was recommitted the ordinance on the memorial from the inhabitants of Nantucket, reported the draught of a paſſport, which was read and agreed to.

On the report of a committee, conſiſting of Mr. Hamilton, Mr. Dyer and Mr. Bedford, to whom was referred a motion of Mr. Dyer, together with the memorial of the officers of the army, and the report of the committee thereon; Congreſs came to the following reſolutions:

Whereas the officers of the ſeveral lines under the immediate command of his excellency general Waſhington, did, by their late memorial tranſmitted by their committee, repreſent to Congreſs, that the half-pay granted

New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Fitzſimmons	no	ay
	Mr. Wilſon	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Delaware,	Mr. M'Comb	ay	divided
	Mr. Bedford	no	
Maryland,	Mr. T. S. Lee	no	no
	Mr. Hemſley	no	
Virginia,	Mr. Madiſon	no	no
	Mr. Bland	ay	
	Mr. Lee	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Rutledge	ay	no
	Mr. Izard	no	
	Mr. Gervais	no	

So it paſſed in the negative.

FRIDAY, MARCH 21, 1783.

Congreſs reſumed the conſideration of the report of the committee on the means of reſtoring and ſupporting public credit, and of obtaining from the ſtates ſubſtantial funds for funding the whole debt of the United States, and three paragraphs of the report, beginning with the worſts "That it be further recommended" to the words "whole revenue received from each ſtate" inclusively, being recommitted;

A motion was made by Mr. Clarke, ſeconded by Mr. Bland,

"That Congreſs now take up and compleat that part of the report for ſupporting and eſtabliſhing public credit, which relates to the raiſing a revenue by impoſts upon imported goods and merchandize:"

And on the queſtion to agree to this, the yeas and nays being required by Mr. Bland,

New-Hampſhire,	Mr. Gilman	ay	divided
	Mr. White	no	
Maſſachuſetts,	Mr. Holten	ay	no
	Mr. Oſgood	no	
	Mr. Gorham	no	
	Mr. Higginſon	no	Rhode

Rhode-Iſland,	Mr. Arnold	no	*
Connecticut,	Mr. Wolcott	no	no
	Mr. Dyer	no	
New-York,	Mr. Floyd	no	no
	Mr. Hamilton	no	
New-Jerſey,	Mr. Boudinot	no	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Fitzſimmons	no	no
	Mr. Wilſon	no	
	Mr. Montgomery	no	
	Mr. Peters	no	
Delaware,	Mr. M'Comb	ay	ay
	Mr. Bedford	ay	
Maryland,	Mr. T. S. Lee	no	no
	Mr. Hemſley	no	
Virginia,	Mr. Madiſon	no	divided
	Mr. Bland	ay	
	Mr. A. Lee	ay	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	ay	divided
	Mr. Williamſon	no	
South-Carolina,	Mr. Rutledge	no	no
	Mr. Izard	no	
	Mr. Gervais	no	

So it paſſed in the negative.

SATURDAY, MARCH 22, 1783.

The committee, conſiſting of Mr. Gorham, Mr. Collins and Mr. Fitzſimmons, to whom was recommitted the ordinance on the memorial from the inhabitants of Nantucket, reported the draught of a paſſport, which was read and agreed to.

On the report of a committee, conſiſting of Mr. Hamilton, Mr. Dyer and Mr. Bedford, to whom was referred a motion of Mr. Dyer, together with the memorial of the officers of the army, and the report of the committee thereon; Congreſs came to the following reſolutions:

Whereas the officers of the ſeveral lines under the immediate command of his excellency general Waſhington, did, by their late memorial tranſmitted by their committee, repreſent to Congreſs, that the half-pay granted

by ſundry reſolutions, was regarded in an unfavourable light by the citizens of ſome of theſe ſtates, who would prefer a compenſation for a limited term of years, or by a ſum in groſs, to an eſtabliſhment for life; and did, on that account, ſolicit a commutation of their half-pay for an equivalent in one of the two modes abovementioned, in order to remove all ſubject of diſſatisfaction from the minds of their fellow citizens: and whereas Congreſs are deſirous, as well of gratifying the reaſonable expectations of the officers of the army, as of removing all objections which may exiſt, in any part of the United States, to the principle of the half pay eſtabliſhment, for which the faith of the United States hath been pledged; perſuaded that thoſe objections can only ariſe from the nature of the compenſation, not from any indiſpoſition to compenſate thoſe whoſe ſervices, ſacrifices and ſufferings, have ſo juſt a title to the approbation and rewards of their country:

Therefore reſolved, That ſuch officers as are now in ſervice, and ſhall continue therein to the end of the war, ſhall be entitled to receive the amount of five years full pay in money, or ſecurities on intereſt at ſix per cent. per annum, as Congreſs ſhall find moſt convenient, inſtead of the half-pay promiſed for life by the reſolution of the 21ſt day of October, 1780; the ſaid ſecurities to be ſuch as ſhall be given to other creditors of the United States, provided it be at the option of the lines of the reſpective ſtates, and not of officers individually in thoſe lines, to accept or refuſe the ſame; and provided alſo, that their election ſhall be ſignified to Congreſs through the commander in chief, from the lines under his immediate command, within two months, and through the commanding officer of the ſouthern army, from thoſe under his command, within ſix months from the date of this reſolution:

That the ſame commutation ſhall extend to the corps not belonging to the lines of particular ſtates, and who are entitled to half pay for life as aforeſaid; the acceptance or refuſal to be determined by corps, and to be ſignified in the ſame manner, and within the ſame time as abovementioned:

That all officers belonging to the hoſpital department, who are entitled to half-pay by the reſolution of the 17th day of January, 1781, may collectively agree to accept

or

or refuſe the aforeſaid commutation, ſignifying the ſame through the commander in chief within ſix months from this time: that ſuch officers as have retired at different periods, entitled to half-pay for life, may collectively, in each ſtate of which they are inhabitants, accept or refuſe the ſame; their acceptance or refuſal to be ſignified by agents authoriſed for that purpoſe, within ſix months from this period; that with reſpect to ſuch retiring officers, the commutation, if accepted by them, ſhall be in lieu of whatever may be now due to them ſince the time of their retiring from ſervice, as well as of what might hereafter become due; and that ſo ſoon as their acceptance ſhall be ſignified, the ſuperintendant of finance be, and he is hereby directed to take meaſures for the ſettlement of their accounts accordingly, and to iſſue to them certificates bearing intereſt at ſix per cent. That all officers entitled to half-pay for life, not included in the preceding reſolution, may alſo collectively agree to accept or refuſe the aforeſaid commutation, ſignifying the ſame within ſix months from this time.

On the queſtion to agree to the foregoing act, the yeas and nays being required by Mr. Condict,

New Hampſhire,	Mr. Gilman	no	no
	Mr. White	no	
Maſſachuſetts,	Mr. Holten	ay	ay
	Mr. Oſgood	ay	
	Mr. Gorham	ay	
	Mr. Higginſon	ay	
Rhode-Iſland,	Mr. Arnold	no	*
Connecticut,	Mr. Wolcott	ay	ay
	Mr. Dyer	ay	
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	ay	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Wilſon	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Delaware,	Mr. M'Comb	ay	ay
	Mr. Bedford	ay	
Maryland,	Mr. T. S. Lee	ay	ay
	Mr. Hemſley	ay	

Virginia,

Virginia,	Mr. Madiſon	ay	
	Mr. Bland	ay	
	Mr. A. Lee	ay	ay
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	
	Mr. Williamſon	ay	ay
South-Carolina,	Mr. Rutledge	ay	
	Mr. Izard	ay	ay
	Mr. Gervais	ay	

So it was reſolved in the affirmative.

MONDAY, March 24, 1783.

A letter of February 5, from the marquis de la Fayette, announcing a general peace, and a copy of orders given by the count D'Eſtaing, vice admiral of France, to the chevalier Du Quelne, commander of the corvette Triumph, diſpatched from Cadiz the 6th of February laſt, for the purpoſe of putting a ſtop to all hoſtilities by ſea; being laid before Congreſs and read:

Reſolved, That the agent of marine be, and he is hereby directed immediately to recall all armed veſſels cruizing under commiſſions from the United States of America.

WEDNESDY, March 26, 1783.

On the report of a committee, conſiſting of Mr. Bland, Mr. Hamilton and Mr. Peters, to whom were referred a letter of the 7th from the commander in chief, and a letter of the 13th from colonel Armand:

Colonel Armand having entered at an early period of the war into the army of the United States with the rank of colonel, and having ſerved with diſtinction in that rank, ſo as to acquire the particular approbation of the commander in chief for his intelligence, zeal and bravery:

Reſolved, That in conſideration of the merit and ſervices of colonel Armand, he be promoted to the rank of brigadier general, retaining the command of his preſent corps.

On the report of a committee, conſiſting of Mr. Gervais, Mr. Williamſon and Mr. Bland, to whom was referred a memorial of Charles Mortimer:

Reſolved,

Reſolved, That doctor Charles Mortimer's account be ſettled for pay and rations on the ſame principle as a junior ſurgeon, for the term of nine months, during which he appears to have been in the public ſervice:

That the director general in the hoſpital department, take order for delivering to doctor Mortimer, a quantity of medicines equal to what he has expended in the public hoſpital:

FRIDAY, MARCH 28, 1783.

Congreſs reſumed the conſideration of the report of the committee on the means of reſtoring and ſupporting public credit, and of obtaining from the ſtates ſubſtantial funds for funding the whole debt of the United States; and the laſt clauſe being amended to read as follows:

"That as a more convenient and certain rule of aſcertaining the proportions to be ſupplied by the ſtates reſpectively, to the commmon treaſury, the following alteration in the articles of confederation and perpetual union between the ſtates, be and the ſame is hereby agreed to in Congreſs, and the ſeveral ſtates are adviſed to authoriſe their reſpective delegates to ſubſcribe and ratify the ſame, as part of the ſaid inſtrument of union, in the words following, to wit.

"So much of the 8th of the articles of confederation and perpetual union, as is contained in the words following, to wit. All charges of war and all other expences that ſhall be incurred for the common defence or general welfare, and allowed by the United States in Congreſs aſſembled, ſhall be defrayed out of a common treaſury, which ſhall be ſupplied by the ſeveral ſtates in proportion to the value of all land within each ſtate, granted to or ſurveyed for any perſon, as ſuch land and the buildings and improvements thereon, ſhall be eſtimated according to ſuch mode as the United States in Congreſs aſſembled ſhall from time to time direct and appoint;—is hereby revoked and made void, and in place thereof it is declared and concluded, the ſame having been agreed to in a Congreſs of the United States, that all charges of war and all other expences that have been or ſhall be incurred for the common defence or general welfare, and allowed by the United States in Congreſs aſſembled, except ſo far as ſhall be otherwiſe provided for,

ſhall

ſhall be defrayed out of a common treaſury which ſhall be ſupplied by the ſeveral ſtates, in proportion to the whole number of free inhabitants, and three fifths of the number of all other inhabitants of every ſex and condition, except Indians, not paying taxes in each ſtate; which number ſhall be triennally taken and tranſmitted to the United States in Congreſs aſſembled, in ſuch mode as they ſhall direct and appoint."

A motion was made by Mr. Bland, ſeconded by Mr. A. Lee, that the ſame be ſtruck out of the report:

And on the queſtion, ſhall the paragraph, as amended, ſtand as part of the report, the yeas and nays being required by Mr. Bland,

New-Hampſhire,	Mr. Gilman	*ay*	*ay*
	Mr. White	*ay*	
Maſſachuſetts,	Mr. Holten	*no*	*no*
	Mr. Oſgood	*no*	
	Mr. Gorham	*ay*	
	Mr. Higginſon	*no*	
Rhode Iſland,	Mr. Collins	*no*	*no*
	Mr. Arnold	*no*	
Connecticut,	Mr. Wolcott	*no*	*no*
	Mr. Dyer	*no*	
New-York,	Mr. Floyd	*ay*	*
New-Jerſey,	Mr. Boudinot	*ay*	*ay*
	Mr. Clarke	*ay*	
Pennſylvania,	Mr. Mifflin	*ay*	*ay*
	Mr. Fitzſimmons	*ay*	
	Mr. Wilſon	*ay*	
	Mr. Montgomery	*ay*	
Delaware,	Mr. M'Comb	*no*	*no*
	Mr. Bedford	*no*	
Maryland,	Mr. T. S. Lee	*ay*	*ay*
	Mr. Hemſley	*ay*	
Virginia,	Mr. Jones	*ay*	*ay*
	Mr. Madiſon	*ay*	
	Mr. Bland	*no*	
	Mr. A. Lee	*no*	
	Mr. Mercer	*ay*	
North-Carolina,	Mr. Hawkins	*ay*	*ay*
	Mr. Williamſon	*ay*	

South-

South-Carolina,	Mr. Rutledge	no	
	Mr. Ramſay	no	no
	Mr. Izard	no	
	Mr. Gervais	no	

So the queſtion was loſt and the paragraph ſtruck out.

SATURDAY, MARCH 29, 1783.

A motion was made by Mr. A. Lee, ſeconded by Mr. Holten, "That the ſuperintendant of finance do lay before Congreſs immediately, an account of all monies which were in his hands at his coming into office, or have been received ſince for the public uſe, together with the application of all ſuch monies in each month, diſtinguiſhing the date of each payment, the perſon to whom and the purpoſe for which ſuch payment was made."

A motion was made by Mr. Oſgood, ſeconded by Mr. Williamſon, that the motion be committed:

And on the queſtion for commitment, the yeas and nays being required by Mr. A. Lee,

New-Hampſhire,	Mr. Gilman	no	no
	Mr. White	no	
Maſſachuſetts,	Mr. Holten	ay	ay
	Mr. Oſgood	ay	
	Mr. Gorham	ay	
	Mr. Higginſon	ay	
Rhode-Iſland,	Mr. Collins	no	no
	Mr. Arnold	no	
Connecticut,	Mr. Wolcott	ay	divided
	Mr. Dyer	no	
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	ay	divided
	Mr. Clarke	no	
Pennſylvania,	Mr. Mifflin	ay	ay
	Mr. Fitzſimmons	ay	
	Mr. Wilſon	ay	
	Mr. Montgomery	ay	
Delaware,	Mr. M'Comb	ay	ay
	Mr. Bedford	ay	
Maryland,	Mr. T. S. Lee	ay	ay
	Mr. Carroll	ay	
	Mr. Hemſley	no	

Virginia,

Virginia,	Mr. Jones	ay	
	Mr. Madiſon	ay	
	Mr. Bland	no	no
	Mr. A. Lee	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	divided
	Mr. Williamſon	ay	
South Carolina,	Mr. Rutledge	no	
	Mr. Ramſay	no	no
	Mr. Izard	no	
	Mr. Gervais	no	

So the queſtion was loſt.

A motion was then made by Mr. Clarke, ſeconded by Mr. Williamſon, "that the motion of Mr. Lee be poſtponed, in order to fill up the committees of five, appointed on the firſt Monday in July and firſt Monday in January laſt, purſuant to the reſolution of the 17th of June, 1782:" and on the queſtion for poſtponing, the yeas and nays being required by Mr. A. Lee,

New-Hampſhire,	Mr. Gilman	no	divided
	Mr. White	ay	
Maſſachuſetts,	Mr. Holten	no	
	Mr. Oſgood	no	
	Mr Gorham	ay	no
	Mr. Higginſon	no	
Rhode-Iſland,	Mr. Collins	ay	divided
	Mr. Arnold	no	
Connecticut,	Mr. Wolcott	no	no
	Mr. Dyer	no	
New-York,	Mr. Floyd	no	no
	Mr. Hamilton	no	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
Pennſylvania,	Mr. Mifflin	no	
	Mr. Fitzſimmons	no	
	Mr. Wilſon	no	no
	Mr. Montgomery	no	
Delaware,	Mr. M'Comb	ay	divided
	Mr. Bedford	no	
Maryland,	Mr. T. S. Lee	no	
	Mr. Carroll	no	no
	Mr. Hemſley	ay	

Virginia,

Virginia,	Mr. Jones	no	
	Mr. Madiſon	no	
	Mr. Bland	no	no
	Mr. A. Lee	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	divided
	Mr. Williamſon	ay	
South-Carolina,	Mr Rutledge	ay	
	Mr. Ramſay	ay	divided
	Mr. Izard	no	
	Mr. Gervais	no	

So it paſſed in the negative.

A motion was then made by Mr. Madiſon, ſeconded by Mr. Wilſon, that the motion before the houſe be poſtponed, in order to take into conſideration the following motion:

"That it be the duty of the ſuperintendant of finance, with as little delay as may be, and thereafter on the day of in every year, to lay before the United States in Congreſs aſſembled, a ſtate of all monies received into his department, with the times when and the perſons from whom they ſhall have been received; and alſo a ſtate of all payments made immediately under his warrant, with the times when, the perſons to whom, and purpoſes for which ſuch warrants ſhall have been iſſued: that he alſo, at the periods aforeſaid, lay before the United States in Congreſs aſſembled, copies of the receipts given to him for all ſuch warrants, with the amount of the eſtimates or ſubſtance of the other documents on which the warrants ſhall have been iſſued; and alſo a report from the comptroller's office, how far the monies iſſued under warrants of the ſaid ſuperintendant, as aforeſaid, ſhall have been finally and ſatisfactorily accounted for:"

And on the queſtion for poſtponing, the yeas and nays being required by Mr. A. Lee,

New Hampſhire,	Mr. Gilman	no	no
	Mr. White	no	
Maſſachuſetts,	Mr. Holten	no	
	Mr. Oſgood	no	no.
	Mr. Gorham	ay	
	Mr. Higginſon	no	
Rhode-Iſland,	Mr. Collins	no	no
	Mr. Arnold	no	

Connecticut,	Mr. Wolcott	no	no
	Mr. Dyer	no	
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jersey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
Pennsylvania,	Mr. Mifflin	ay	ay
	Mr. Fitzsimmons	ay	
	Mr. Wilson	ay	
	Mr. Montgomery	ay	
Delaware,	Mr. M'Comb	no	no
	Mr. Bedford	no	
Maryland,	Mr. T. S. Lee	ay	ay
	Mr. Carroll	ay	
	Mr. Hemsley	no	
Virginia,	Mr. Jones	no	no
	Mr. Madison	ay	
	Mr. Bland	no	
	Mr. A. Lee	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	divided
	Mr. Williamson	ay	
South-Carolina,	Mr. Rutledge	no	no
	Mr. Ramsay	no	
	Mr. Izard	no	
	Mr. Gervais	no	

So it passed in the negative.

After farther debate, an adjournment was called for and carried.

MONDAY, March 31, 1783.

On the report of a committee, consisting of Mr. Carroll, Mr. Gorham and Mr. Rutledge, to whom was referred the report of a committee on a letter of May 6, 1782, from Mr. J. Hancock, formerly president of Congress:

Resolved, That there be allowed and paid to J. Hancock, esquire, three thousand two hundred and forty-eight dollars, in full, for household and other expences for two years and five months, being the time he acted as president of Congress; and that the superintendant of finance take order for the payment thereof.

Ordered, That Mr. Gilman have leave of absence.

TUESDAY, April 1, 1783.

Mr. Elsworth, a delegate for the state of Connecticut, attended and took his seat in Congress.

On

On motion of Mr. Hamilton, ſeconded by Mr. Oſgood,

Reſolved, That the motion made on the 28th of March laſt, to ſtrike out a part of the report of the committee on the means of reſtoring and ſupporting public credit, and of obtaining from the ſtates ſubſtantial funds for funding the whole debt of the United States, be reconſidered.

The paragraph being then amended to read as follows:

"That as a more convenient and certain rule of aſcertaining the proportions to be ſupplied by the ſtates reſpectively to the common treaſury, the following alteration in the articles of confederation and perpetual union between theſe ſtates, be and the ſame is hereby agreed to in Congreſs, and the ſeveral ſtates are adviſed to authoriſe their reſpective delegates to ſubſcribe and ratify the ſame, as part of the ſaid inſtrument of union, in the words following, to wit,

"So much of the 8th of the articles of conſederation and perpetual union between the thirteen ſtates of America, as is contained in the words following, to wit, "All charges of war and all other expences that ſhall be incurred for the common defence or general welfare, and allowed by the United States in Congreſs aſſembled, ſhall be defrayed out of a common treaſury, which ſhall be ſupplied by the ſeveral ſtates in proportion to the value of all land within each ſtate granted to or ſurveyed for any perſon, as ſuch land and the buildings and improvements thereon, ſhall be eſtimated according to ſuch mode as the United States in Congreſs aſſembled ſhall from time to time direct and appoint," is hereby revoked and made void; and in place thereof it is declared and concluded, the ſame having been agreed to in a Congreſs of the United States, that all charges of war and all other expences that have been or ſhall be incurred for the common defence or general welfare, and allowed by the United States in Congreſs aſſembled, except ſo far as ſhall be otherwiſe provided for, ſhall be defrayed out of a common treaſury, which ſhall be ſupplied by the ſeveral ſtates in proportion to the whole number of white and other free citizens and inhabitants of every age, ſex and condition, including thoſe bound to ſervitude for a term of years, and three fifths of all other perſons not compre-

hended

hended in the foregoing deſcription, except Indians, not paying taxes, in each ſtate; which number ſhall be triennially taken and tranſmitted to the United States in Congreſs aſſembled, in ſuch mode as they ſhall direct and appoint:

And on the queſtion, ſhall the clauſe, as amended, ſtand part of the report, the yeas and nays being required by Mr. Bland,

New-Hampſhire,	Mr. White	*ay*	*
Maſſachuſetts,	Mr. Holten	*no*	divided
	Mr. Oſgood	*ay*	
	Mr. Gorham	*ay*	
	Mr. Higginſon	*no*	
Rhode-Iſland,	Mr. Collins	*no*	no
	Mr. Arnold	*no*	
Connecticut,	Mr. Elſworth	*ay*	ay
	Mr. Wolcott	*ay*	
	Mr. Dyer	*ay*	
New-York,	Mr. Floyd	*ay*	ay
	Mr. Hamilton	*ay*	
New-Jerſey,	Mr. Boudinot	*ay*	ay
	Mr. Clarke	*ay*	
Pennſylvania,	Mr. Fitzſimmons	*ay*	ay
	Mr. Montgomery	*ay*	
	Mr. Peters	*ay*	
Delaware,	Mr. M'Comb	*ay*	*
Maryland,	Mr. T. S. Lee	*ay*	ay
	Mr. Hemſley	*ay*	
Virginia,	Mr. Jones	*ay*	ay
	Mr. Madiſon	*ay*	
	Mr. Bland	*no*	
	Mr. Mercer	*ay*	
North Carolina,	Mr. Hawkins	*ay*	ay
	Mr. Williamſon	*ay*	
South Carolina,	Mr. Rutledge	*ay*	ay
	Mr. Izard	*ay*	

So it was reſolved in the affirmative.

On the report of a committee, conſiſting of Mr. Clarke, Mr. Dyer and Mr. Rutledge, to whom was referred the report of the ſecretary at war, on a memorial from colonel Broadhead;

Reſolved,

Reſolved, That the ſuperintendant of finance take order for payment to colonel Broadhead of ninety-eight dollars and fifteen ninetieths of a dollar, being the amount of money expended by him in defending ſeveral ſuits brought againſt him for certain tranſactions during his command at fort Pitt:

That the ſuperintendant of finance alſo take order for payment to colonel Broadhead of one hundred and fifty dollars, being the value of the preſents made by him whilſt on command at fort Pitt, to the chiefs and other friendly Indians of the Delaware tribe:

That the legiſlature of Pennſylvania be requeſted to take the neceſſary meaſures for indemnifying colonel Broadhead againſt the actions depending againſt him in the county of Weſtmoreland, or for putting a ſtop to thoſe actions, the ſame having been brought on account of certain orders and acts iſſued and done by him during ſuch command, in which orders and acts, Congreſs, on the 18th day of April, 1780, engaged to ſupport him.

On the report of a committee, conſiſting of Mr. Osgood, Mr. Izard, Mr. A. Lee, Mr. Hamilton and Mr. Gervais, to whom were referred a letter of the 15th December from the honourable H. Laurens, one of the 13th of March from the honourable T. Jefferſon, and one of the 28th of September from the honourable F. Dana:

Reſolved, That the honourable Henry Laurens have leave to return to America, agreeably to his requeſt.

Reſolved, That the ſecretary for foreign affairs inform the honourable T. Jefferſon, in anſwer to his letter of the 13th of March, that Congreſs conſider the object of his appointment ſo far advanced, as to render it unneceſſary for him to purſue his voyage; and that Congreſs are well ſatisfied with the readineſs he has ſhewn in undertaking a ſervice, which, from the preſent ſituation of affairs, they apprehend can be diſpenſed with.

Reſolved, That Mr. Dana, having intimated his intention of returning to America, Congreſs do approve of the the ſame, provided he ſhould not be engaged in a negociation with the court of Peterſburgh at the time of receiving this reſolution, in which caſe it is the deſire of Congreſs that he ſhould finiſh ſuch negociation before he returns.

Ordered, That Mr. Montgomery have leave of abſence.

FRIDAY,

FRIDAY, APRIL 4, 1783.

On the report of the agent of marine, to whom were referred a letter of the 5th of December, 1782, from the governor of New-Orleans, and a letter of the 2d of March laſt, from the governor of Havanna, reſpecting a criminal contempt of public faith and a violation of the law of nations, alledged to have been committed by meſſieurs Church and Haydon, inhabitants of Boſton, in the capture of a Spaniſh brig, the property of Don Antonio Argote, and in firing upon a boat carrying the flag of his Catholic Majeſty:

Reſolved, That the proper mode for Don Antonio Argote to obtain redreſs of any injuries he may have ſuſtained from meſſieurs Church and Haydon, is by proſecution in due courſe of law; and that a letter be written by the preſident to the ſupreme executive of the ſtate of Maſſachuſetts, encloſing a copy of the ſaid letters, and recommending to the ſaid executive to give all ſuch countenance, protection and aſſiſtance to the ſaid Don Antonio de Argote, in his attempts to obtain legal ſatisfaction for the injuries alledged to have been done to him by the ſaid Meſſieurs Church and Haydon, as becomes the United States to give to the ſubjects of powers in amity, who ſhall complain of a violation of their rights.

Ordered, That ſo much of the foregoing letters as relates to the violation of the laws of nations and rights of neutrality, together with a note from the honourable the miniſter of France, accompanied with the copy of a letter of the 5th of December, from the governor of New-Orleans, and a letter of the 25th of March from Don Antonio Argote, ſtating the violation of the laws of nations and rights of neutrality, alledged to have been committed by Church and Haydon, aforeſaid, be referred to a committee of three.

On motion of Mr. Rutledge, ſeconded by Mr. Mercer,

Reſolved, That the ſeveral ſtates be required to ſuſpend all inliſtments for any regiment or corps in the army of the United States, until the further order of Congreſs.

On the report of a committee, conſiſting of Mr. Williamſon, Mr. Dyer, Mr. Condict and Mr. Montgomery, to whom was referred a letter of March the 5th from the poſtmaſter general:

Reſolved,

Resolved, That the postmaster general be and he is hereby authorised from time to time to appoint a deputy to attend the main army, who shall be entitled to draw provisions not exceeding two rations a day, and to such other reward as may be stipulated by the postmaster general, to be paid as heretofore by the paymaster general, upon a warrant from the commander in chief, it being provided that the amount of such rations and pay shall not exceed the allowance which was made to such officer by an act of Congress, dated the 11th of March, 1782; such pay to commence from the 10th of March last, when Mr. Alvey, late postmaster with the main army, resigned.

MONDAY, APRIL 7, 1783.

On the report of a committee consisting of Mr. Hamilton, Mr. Peters and Mr. Gorham:

Resolved, That the secretary at war, in concert with the commander in chief, be and he is hereby directed to consider and report to Congress, as speedily as may be, such measures as it will be proper to take in the present juncture for reducing the expences of the United States in the war department.

On the report of a committee, consisting of Mr. Osgood, Mr. Floyd and Mr. Dyer, to whom was referred a letter of the 31st of March from the secretary at war, respecting a claim of Morgan Lewis, esquire, late deputy quartermaster, to the permanent rank and emoluments of a colonel:

Ordered, That the secretary at war inform Morgan Lewis, esquire, that his claim to permanent rank, and to be considered as retiring under the resolutions of the 21st of October, 1780, with the emoluments of a colonel, cannot, consistent with the rules heretofore laid down, be admitted.

WEDNESDAY, APRIL 9, 1783.

The committee consisting of Mr. Elsworth, Mr. Madison and Mr. Fitzsimmons, to whom was referred a motion of Mr. Clarke, report, that an amendment be made in the report on finance, by inserting the following clause:

"That certificates for interest due on loans and other liquidated debts of the United States, to be granted if applied

applied for, under ſuch regulations as Congreſs ſhall eſtabliſh, ſhall be received as ſpecie in payment of the ſaid one million five hundred thouſand dollars.

A motion was made by Mr. Clarke, ſeconded by Mr. Dyer, to poſtpone the conſideration of the report, in order to conſider the following amendment:

"That every State ſhall be credited out of the laſt mentioned revenue for all intereſt by them to be hereafter reſpectively paid on loan-office certificates, and other liquidated debts of the United States:"

And on the queſtion for poſtponing, the yeas and nays being required by Mr. Clarke,

Maſſachuſetts,	Mr. Oſgood	ay	ay
	Mr. Gorham	ay	
	Mr. Higgenſon	ay	
Rhode-Iſland,	Mr. Collins	ay	ay
	Mr. Arnold	ay	
Connecticut,	Mr. Elſworth	no	ay
	Mr. Wolcott	ay	
	Mr. Dyer	ay	
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
Pennſylvania,	Mr. Fitzſimmons	ay	divided
	Mr. Wilſon	no	
Maryland,	Mr. T. S. Lee	ay	ay
	Mr. Carroll	ay	
Virginia,	Mr. Jones	no	divided
	Mr. Madiſon	no	
	Mr. Bland	ay	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Izard	ay	

So it was reſolved in the affirmative.

On the queſtion to agree to the amendment moved by Mr. Clarke, the yeas and nays being required by Mr. Clarke,

Maſſachuſetts,	Mr. Oſgood	no	no
	Mr. Gorham	ay	
	Mr. Higginſon	no	
Rhode-Iſland,	Mr. Collins	ay	ay
	Mr. Arnold	ay	

Connecticut,

Connecticut,	Mr. Elſworth	*ay*	*ay*
	Mr. Wolcott	*no*	
	Mr. Dyer	*ay*	
New-York,	Mr. Floyd	*no*	*no*
	Mr. Hamilton	*no*	
New-Jerſey,	Mr. Boudinot	*no*	*divided*
	Mr. Clarke	*ay*	
Pennſylvania,	Mr. Fitzſimmons	*no*	*no*
	Mr. Wilſon	*no*	
Maryland,	Mr. T. S. Lee	*no*	*no*
	Mr. Carroll	*no*	
Virginia,	Mr. Jones	*no*	*no*
	Mr. Madiſon	*no*	
	Mr. Bland	*no*	
	Mr. Mercer	*no*	
North-Carolina,	Mr. Hawkins	*no*	*no*
	Mr. Williamſon	*no*	
South-Carolina,	Mr. Rutledge	*no*	*no*
	Mr. Izard	*no*	

So it paſſed in the negative.

The queſtion being taken on the report of the committee, paſſed in the negative.

THURSDAY, APRIL 10, 1783.

On the report of a committee, conſiſting of Mr. Peters, Mr. Dyer and Mr. T. S. Lee, to whom was referred a letter of the 23d of March from the commander in chief:

Reſolved, That Congreſs are ſatisfied with the reaſons which have prevailed with major general the marquis de la Fayette, for his ſtay in Europe, and his conſequent abſence from his command in the army of the United States, and have a high ſenſe of the new proofs he has exhibited of his zeal in the cauſe of the ſaid ſtates, and of his conſtant attachment to their intereſts and welfare.

On the report of a committee, conſiſting of Mr. Hemſly, Mr. Gervais and Mr Fitzſimmons, to whom were referred a memorial and the accounts of Oliver Pollock:

Reſolved, That the three invoices of goods ſhipped by O. Pollock, for account of the United States, but which were received and made uſe of by the ſtate of Virginia, amounting, with intereſt to the 1ſt of March, 1783, to 23,288 dollars and 84-90 of a dollar be admitted in the ſettlement of his accounts with the United States; but

that he be obliged to produce vouchers to ſhew that the goods in invoice, marked C, amounting, with intereſt to the 1ſt of March, 1783, to the ſum of 3177 dollars and 81·90 of a dollar was before credited to the United States, and that until he produce ſuch vouchers, this ſum be not admitted.

Reſolved, That the charge of 1961 dollars and 41·90 of a dollar, for damages on bills drawn by the ſaid O. Pollock upon S. and J. H. Delap, of Bourdeaux, be allowed, provided it ſhall appear that 10,000 dollars, which was the amount of the bills drawn, were at the time of drawing due to the ſaid Oliver Pollock by the United States, but if not, that damages be allowed for the ſum due to him at the time of the damage ſuſtained, upon proof being made that thoſe damages were actually paid.

Reſolved, That the charge of one thouſand ſix hundred dollars, paid to William Murray, for his attendance on Congreſs for ſixteen months, together with the intereſt charged thereon, be not admitted.

Reſolved, That the charge of 11,133 dollars and 83·90 of a dollar, for paper money, be not admitted.

Reſolved, That the charge for damages on the ſale of his eſtate, and the charge for expences in coming from New-Orleans, to ſolicit the ſettlement and payment of his accounts, be not admitted.

FRIDAY, APRIL 11, 1783.

The ſecretary for foreign affairs, to whom was referred a letter of 21ſt January, from the honourable B. Franklin, with an agreement between the miniſters plenipotentiary of the United States of America, and the miniſter plenipotentiary of his Britannic majeſty, on the 20th of January laſt, relative to a ceſſation of hoſtilities, reported the draught of a proclamation, as follows:

By the United States of America in Congreſs aſſembled.

A PROCLAMATION,

Declaring the Ceſſation of Arms, as well by Sea as by Land, agreed upon between the United States of America and His Britannic Majeſty; and enjoining the obſervance thereof.

WHEREAS proviſional articles were ſigned at Paris on the thirtieth day of November laſt, between the miniſters plenipotentiary

plenipotentiary of the United States of America for treating of peace, and the miniſter plenipotentiary of his Britannic majeſty, to be inſerted in, and to conſtitute the treaty of peace propoſed to be concluded between the United States of America and his Britannic majeſty, when terms of peace ſhould be agreed upon between their Moſt Chriſtian and Britannic majeſties: and whereas, preliminaries for reſtoring peace between their Moſt Chriſtian and Britannic Majeſties were ſigned at Verſailles on the twentieth day of January laſt, by the miniſters of their Moſt Chriſtian and Britannic Majeſties: and whereas preliminaries for reſtoring peace between the ſaid king of Great-Britain and the king of Spain, were alſo ſigned at Verſailles on the ſame twentieth day of January laſt:

By which ſaid preliminary articles it hath been agreed, that as ſoon as the ſame were ratified, hoſtilities between the ſaid kings, their kingdoms, ſtates and ſubjects, ſhould ceaſe in all parts of the world: and it was further agreed, that all veſſels and effects that might be taken in the channel and in the North-ſeas, after the ſpace of twelve days from the ratification of the ſaid preliminary articles, ſhould be reſtored; that the term ſhould be one month from the channel and North-ſeas as far as the Canary iſlands, incluſively, whether in the ocean or the Mediterranean; two months from the ſaid Canary iſlands as far as the equinoctial line or equator; and laſtly, five months in all other parts of the world, without any exception or more particular deſcription of time or place: and whereas it was declared by the miniſter plenipotentiary of the king of Great-Britain, in the name and by the expreſs order of the king his maſter, on the ſaid twentieth day of January laſt, that the ſaid United States of America, their ſubjects and their poſſeſſions, ſhall be comprized in the abovementioned ſuſpenſion of arms, at the ſame epochs, and in the ſame manner as the three crowns abovementioned, their ſubjects and poſſeſſions reſpectively: upon condition, that on the part and in the name of the United States of America, a ſimilar declaration ſhall be delivered, expreſsly declaring their aſſent to the ſaid ſuſpenſion of arms, and containing an aſſurance of the moſt perfect reciprocity on their part: and whereas the miniſters plenipotentiary of theſe United States, did, on the ſame twentieth day of January, in the name and by the authority of the ſaid United States, accept the ſaid declaration

claration, and declare that the ſaid ſtates ſhould cauſe all hoſtilities to ceaſe againſt his Britannic majeſty, his ſubjects and his poſſeſſions, at the terms and epochs agreed upon between his ſaid majeſty the king of Great-Britain, his majeſty the king of France, and his majeſty the king of Spain, ſo and in the ſame manner as had been agreed upon between thoſe three crowns, and to produce the ſame effects: and whereas the ratifications of the ſaid preliminary articles, between their Moſt Chriſtian and Britannic Majeſties, were exchanged by their miniſters on the third day of February laſt; and between his Britannic majeſty and the king of Spain, on the ninth day of February laſt: and whereas it is our will and pleaſure, that the ceſſation of hoſtilities between the United States of America and his Britannic majeſty, ſhould be conformable to the epochs fixed between their Moſt Chriſtian and Britannic Majeſties:

We have thought fit to make known the ſame to the citizens of theſe ſtates; and we hereby ſtrictly charge and command all our officers, both by ſea and land, and other ſubjects of theſe United States, to forbear all acts of hoſtility, either by ſea or by land, againſt his Britannic majeſty or his ſubjects, from and after the reſpective times agreed upon between their Moſt Chriſtian and Britannic Majeſties, as aforeſaid.

And we do further require all governors and others, the executive powers of theſe United States reſpectively, to cauſe this our proclamation to be made public, to the end that the ſame may be duly obſerved within their ſeveral juriſdictions.

Done in Congreſs, &c.

On the queſtion to agree to the foregoing proclamation, the yeas and nays being required by Mr. Mercer,

New-Hampſhire,	Mr. White	*ay*	*
Maſſachuſetts,	Mr. Holten	*ay*	*ay*
	Mr. Oſgood	*ay*	
	Mr. Gorham	*ay*	
	Mr. Higginſon	*ay*	
Rhode-Iſland,	Mr. Collins	*ay*	*ay*
	Mr. Arnold	*ay*	
Connecticut,	Mr. Elſworth	*ay*	*ay*
	Mr. Wolcott	*ay*	
	Mr. Dyer	*ay*	

New-

New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
Pennſylvania,	Mr. Mifflin	ay	ay
	Mr. Fitzſimmons	ay	
	Mr. Wilſon	ay	
Maryland,	Mr. T. S. Lee	ay	ay
	Mr. Carroll	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	ay	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Izard	ay	

So it was reſolved in the affirmative.

TUESDAY, APRIL 15, 1783.

Congreſs took into conſideration the articles agreed upon at Paris on the 30th day of November laſt, entitled "Articles agreed upon by and between Richard Oſwald, eſquire, the commiſſioner of his Britannic majeſty, for treating of peace with the commiſſioners of the United States of America, in behalf of his ſaid majeſty on the one part, and John Adams, Benjamin Franklin, John Jay and Henry Laurens, four of the commiſſioners of the ſaid ſtates, for treating of peace with the commiſſioner of his ſaid majeſty, on their behalf, on the other part; to be inſerted in, and to conſtitute the treaty of peace propoſed to be concluded between the crown of Great Britain and the ſaid United States; but which treaty is not to be concluded until terms of peace ſhall be agreed upon between Great-Britain and France, and his Britannic majeſty ſhall be ready to conclude ſuch treaty accordingly;" and thereupon,

Reſolved, That the agent of marine cauſe all the naval priſoners to be ſet at liberty.

Reſolved, That the commander in chief be, and he is hereby inſtructed to make the proper arrangements with the commander in chief of the Britiſh forces, for receiving poſſeſſion of the poſts in the United States occupied by

by the troops of his Britannic majeſty; and for obtaining the delivery of all negroes and other property of the inhabitants of the United States in the poſſeſſion of the Britiſh forces, or any ſubjects of, or adherents to his ſaid Britannic majeſty; and that the ſecretary at war, in conjunction with the commander in chief, take proper arrangements for ſetting at liberty all land priſoners.

When the foregoing reſolution was under debate, a motion was made by Mr. Clarke, ſeconded by Mr. Dyer, to ſtrike out the words "in conjunction with the commander in chief."

And on the queſtion, ſhall thoſe words ſtand, the yeas and nays being required by Mr. Williamſon.

New-Hampſhire,	Mr. White	no	*
Maſſachuſetts,	Mr. Holten	ay	ay
	Mr. Gorham	ay	
Rhode-Iſland,	Mr. Arnold	ay	*
Connecticut,	Mr. Elſworth	no	no
	Mr. Dyer	no	
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	ay	divided
	Mr. Clarke	no	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Peters	ay	
Delaware,	Mr. Bedford	ay	*
Maryland,	Mr. T. S. Lee	ay	ay
	Mr. Carroll	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Izard	ay	
	Mr. Gervais	ay	

So it was reſolved in the affirmative.

WEDNESDAY, APRIL 16, 1783.

A motion was made by Mr. Hamilton, ſeconded by Mr. Bland, to reconſider the reſolution paſſed yeſterday, viz. "That the commander in chief," &c. to the end, in order to take into conſideration the following propoſition in lieu thereof, viz. "That

"That the commander in chief be directed to enter into preparatory arrangements, relative to the 7th article of the said treaty, with the commanders in chief of the British land and naval forces in America."

And on the question, to reconsider for the purpose abovementioned, the yeas and nays being required by Mr. Williamson,

New Hampshire,	Mr. White	no	*
Massachusetts,	Mr. Holten	no	no
	Mr. Gorham	no	
Rhode Island,	Mr. Collins	no	divided
	Mr. Arnold	ay	
Connecticut,	Mr. Elsworth	no	no
	Mr. Dyer	no	
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jersey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
Pennsylvania,	Mr. Mifflin	no	ay
	Mr. Fitzsimmons	ay	
	Mr. Peters	ay	
Delaware,	Mr. Bedford	ay	*
Maryland,	Mr. T. S. Lee	no	divided
	Mr. Carroll	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madison	ay	
	Mr. Bland	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamson	ay	
South-Carolina,	Mr. Rutledge	no	ay
	Mr. Izard	ay	
	Mr. Gervais	ay	

So the question was lost.

THURSDAY, APRIL 17, 1783.

On the report of a committee, consisting of Mr. Osgood, Mr. Bland, Mr. Hamilton, Mr. Wolcott, and Mr. Peters, to whom was referred a letter of the 14th, from the secretary at war:

Resolved, That immediate measures be taken for the sale of all the dragoon horses belonging to the United States, and of all such articles in the several military departments, as may not be necessary for the use of the army, previous

previous to its reduction, or for the formation of magazines on a peace eſtabliſhment.

Congreſs reſumed the conſideration of the report on revenue, when a motion was made by Mr. Gervais, ſeconded by Mr. Dyer, to ſtrike out the duty of 1-8th of a dollar per buſhel upon ſalt:

And on the queſtion, ſhall that part of the report ſtand, the yeas and nays being required by Mr. Gervais,

New-Hampſhire,	Mr. White	no	*
Maſſachuſetts,	Mr. Holten	no	no
	Mr. Gorham	no	
Rhode-Iſland,	Mr. Collins	no	no
	Mr. Arnold	no	
Connecticut,	Mr. Elſworth	no	no
	Mr. Dyer	no	
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	no	
	Mr. Condict	ay	
Pennſylvania,	Mr. Mifflin	ay	ay
	Mr. Fitzſimmons	ay	
Delaware,	Mr. M'Comb	ay	ay
	Mr. Bedford	ay	
Maryland,	Mr. T. S. Lee	ay	ay
	Mr. Carroll	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	ay	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Rutledge	no	no
	Mr. Izard	ay	
	Mr. Gervais	no	

So the queſtion was loſt, and that clauſe, as well as the bounty of one-eighth of a dollar per quintal of dried fiſh, and of a like ſum per barrel of beef or pork exported, were ſtruck out.

FRIDAY, APRIL 18, 1783.

Congreſs reſumed the conſideration of the report on finance, and the following paragraph being under debate;

"That

"That as a further mean, as well of haſtening the extinguiſhment of the debts, as of eſtabliſhing the harmony of the United States, it be recommended to the ſtates which have paſſed no acts towards complying with the reſolutions of Congreſs of the 6th of September and 10th of October, 1780, relative to territorial ceſſions, to make the liberal ceſſions therein recommended; and to the ſtates which may have paſſed acts complying with the ſaid reſolutions in part only, to reviſe and compleat ſuch compliance."

A motion was made by Mr. Bland, ſeconded by Mr. Rutledge, to ſtrike out the words "and to the ſtates which may have paſſed acts complying with the ſaid reſolutions in part only, to reviſe and compleat ſuch compliance:"

And on the queſtion, ſhall thoſe words ſtand, the yeas and nays being required by Mr Bland,

New-Hampſhire,	Mr. White	ay	*
Maſſachuſetts,	Mr. Holten	ay	ay
	Mr. Oſgood	ay	
	Mr. Gorham	ay	
	Mr. Higgenſon	ay	
Rhode-Iſland,	Mr. Collins	ay	ay
	Mr. Arnold	ay	
Connecticut,	Mr. Elſworth	ay	ay
	Mr. Dyer	ay	
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Wilſon	ay	
	Mr. Peters	ay	
Delaware,	Mr. M'Comb	ay	ay
	Mr. Bedford	ay	
Maryland,	Mr. T. S. Lee	ay	ay
	Mr. Carroll	ay	
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Bland	no	
	Mr. Mercer	no	
North Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	

South Carolina,	Mr. Rutledge	*no*	*no*
	Mr. Izard	*ay*	
	Mr. Gervais	*no*	

So it was reſolved in the affirmative.

Congreſs proceeded in the conſideration of the report, and ſundry amendments being made,

Reſolved by nine ſtates, That it be recommended to the ſeveral ſtates, as indiſpenſibly neceſſary to the reſtoration of public credit, and to the punctual and honourable diſcharge of the public debts, to inveſt the United States in Congreſs aſſembled, with a power to levy for the uſe of the United States, the following duties upon goods imported into the ſaid ſtates from any foreign port, iſland or plantation.

Upon all rum of Jamaica proof, per gallon,	4 90ths	of a dollar.
Upon all other ſpirituous liquors,	3-90ths	do.
Upon Madeira wine,	12-90ths	do.
Upon all other wines,	6-90ths	do.
Upon common bohea tea per lb.	6 90ths	do.
Upon all other teas,	24-90ths	do.
Upon pepper per lb.	3-90ths	do.
Upon brown ſugar per lb.	½-90th	do.
Upon loaf ſugar,	2 90ths	do.
Upon all other ſugars,	1 90th	do.
Upon molaſſes per gallon,	1-90th	do.
Upon cocoa and coffee per lb.	1-90th	do.

Upon all other goods, a duty of five per cent. advalorem at the time and place of importation.

Provided that none of the ſaid duties ſhall be applied to any other purpoſe than the diſcharge of the intereſt or principal of the debts contracted on the faith of the United States for ſupporting the war, agreeably to the reſolution of the 16th day of December laſt, nor be continued for a longer term than twenty five years; and provided that the collectors of the ſaid duties ſhall be appointed by the ſtates within which their offices are to be reſpectively exerciſed; but when ſo appointed, ſhall be amenable to and removeable by the United States in Congreſs aſſembled, alone; and in caſe any ſtate ſhall not make ſuch appointment within one month after notice given for that purpoſe, the appointment may be made by the United States in Congreſs aſſembled.

That

That it be further recommended to the ſeveral ſtates, to eſtabliſh for a term limited to twenty-five years, and to appropriate to the diſcharge of the intereſt and principal of the debts contracted on the faith of the United States for ſupporting the war, ſubſtantial and effectual revenues of ſuch nature as they may judge moſt convenient, for ſupplying their reſpective proportions of one million five hundred thouſand dollars annually, excluſive of the aforementioned duties, which proportion ſhall be fixed and equalized from time to time, according to the rule which is or may be preſcribed by the articles of confederation; and in caſe the revenues eſtabliſhed by any ſtate, ſhall at any time yield a ſum exceeding its actual proportion, the exceſs ſhall be refunded to it; and in caſe the revenues of any ſtate ſhall be found to be deficient, the immediate deficiency ſhall be made up by ſuch ſtate with as little delay as poſſible, and a future deficiency guarded againſt by an enlargement of the revenues eſtabliſhed: provided, that until the rule of the confederation can be carried into practice, the proportions of the ſaid 1,500,000 dollars ſhall be as follows, viz.

New-Hampſhire	52,708	Delaware	22,445
Maſſachuſetts	224,427	Maryland	141,517
Rhode-Iſland	32,318	Virginia	256,487
Connecticut	132,091	North Carolina	109,006
New-York	128,243	South Carolina	96,183
New-Jerſey	83,358	Georgia	16,050
Pennſylvania	205,189		

The ſaid laſt mentioned revenues to be collected by perſons appointed as aforeſaid, but to be carried to the ſeparate credit of the ſtates within which they ſhall be collected.

That an annual account of the proceeds and application of all the aforementioned revenues, ſhall be made out and tranſmitted to the ſeveral ſtates, diſtinguiſhing the proceeds of each of the ſpecified articles, and the amount of the whole revenue received from each ſtate, together with the allowances made to the ſeveral officers employed in the collection of the ſaid revenues.

That none of the preceding reſolutions ſhall take effect until all of them ſhall be acceded to by every ſtate, after which unanimous acceſſion, however, they ſhall be conſidered as forming a mutual compact among all the ſtates, and ſhall be irrevocable by any one or more of them

them without the concurrence of the whole, or of a majority of the United States in Congreſs aſſembled.

That as a further mean, as well of haſtening the extinguiſhment of the debts, as of eſtabliſhing the harmony of the United States, it be recommended to the ſtates which have paſſed no acts towards complying with the reſolutions of Congreſs of the 6th of September and 10th of October, 1780, relative to the ceſſion of territorial claims, to make the liberal ceſſions therein recommended, and to the ſtates which may have paſſed acts complying with the ſaid reſolutions in part only, to reviſe and compleat ſuch compliance.

That as a more convenient and certain rule of aſcertaining the proportions to be ſupplied by the ſtates reſpectively to the common treaſury, the following alteration in the articles of confederation and perpetual union, between theſe ſtates, be and the ſame is hereby agreed to in Congreſs; and the ſeveral ſtates are adviſed to authoriſe their reſpective delegates to ſubſcribe and ratify the ſame as part of the ſaid inſtrument of union, in the words following, to wit.

So much of the 8th of the articles of confederation and perpetual union between the thirteen ſtates of America, as is contained in the words following, to wit.

"All charges of war and all other expences that ſhall be incurred for the common defence or general welfare, and allowed by the United States in Congreſs aſſembled, ſhall be defrayed out of a common treaſury, which ſhall be ſupplied by the ſeveral ſtates in proportion to the value of all land within each ſtate granted to or ſurveyed for any perſon, as ſuch land and the buildings and improvements thereon, ſhall be eſtimated according to ſuch mode as the United States in Congreſs aſſembled ſhall from time to time direct and appoint," is hereby revoked and made void; and in place thereof it is declared and concluded, the ſame having been agreed to in a Congreſs of the United States, that all charges of war and all other expences that have been or ſhall be incurred for the common defence or general welfare, and allowed by the United States in Congreſs aſſembled, except ſo far as ſhall be otherwiſe provided for, ſhall be defrayed out of a common treaſury, which ſhall be ſupplied by the ſeveral ſtates in proportion to the whole number of white and other free citizens and inhabitants, of every age, ſex and condition,

condition, including those bound to servitude for a term of years, and three fifths of all other persons not comprehended in the foregoing description, except Indians, not paying taxes, in each state; which number shall be triennially taken and transmitted to the United States in Congress assembled, in such mode as they shall direct and appoint.

On the question to agree to the foregoing act, the yeas and nays being required by Mr. Arnold,

New-Hampshire,	Mr. White	ay	*
Massachusetts,	Mr. Holten	ay	ay
	Mr. Osgood	ay	
	Mr. Gorham	ay	
	Mr. Higginson	no	
Rhode-Island,	Mr. Collins	no	no
	Mr. Arnold	no	
Connecticut,	Mr. Elsworth	ay	ay
	Mr. Dyer	ay	
New-York,	Mr. Floyd	ay	divided
	Mr. Hamilton	no	
New-Jersey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennsylvania,	Mr. Fitzsimmons	ay	ay
	Mr. Peters	ay	
Delaware,	Mr. M'Comb	ay	ay
	Mr. Bedford	ay	
Maryland,	Mr. T. S. Lee	ay	ay
	Mr. Carroll	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madison	ay	
	Mr. Bland	ay	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamson	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Izard	ay	
	Mr. Gervais	ay	

So it was resolved in the affirmative.

MONDAY, APRIL 21, 1783.

On a report from the agent of marine, to whom was referred a memorial of John Thompson;

Resolved,

Reſolved, That all accounts of perſons in the marine department for pay, depreciation or arrearages, be adjuſted by the commiſſioner for ſettling the accounts of the marine department.

A letter of this day from the ſuperintendant of finance was read, encloſing a copy of a letter of the 20th from the miniſter of France, requeſting the loan of the ſhip Duc de Lauzun, for the purpoſe of carrying home the French troops now in this country; whereupon,

Ordered, That the ſaid letters be referred back to the ſuperintendant of finance, and that he take order for complying with the requeſt of the honourable the miniſter of France.

On the report of a committee, conſiſting of Mr. Bland, Mr. Fitzſimmons and Mr. Higgenſon, to whom was referred a letter of the 11th from the ſuperintendant of finance:

Reſolved, That the ſuperintendant of finance, take order for the ſale of the ſhip Duc de Lauzun, after the ſervice for which ſhe is lent to the miniſter of France is performed.

On the requeſt of colonel M. Ogden of the New-Jerſey line, accompanied with the approbation of the commander in chief:

Reſolved, That colonel M. Ogden of the New-Jerſey line, have leave to go to Europe.

TUESDAY, APRIL 22, 1783.

On the report of a committee, conſiſting of Mr. Carroll, Mr. Williamſon and Mr. Holten, to whom was referred a letter of the 15th from Thomas Ediſon:

Reſolved, That the ſuperintendant of finance take order for the diſcharge of the balance, if any, of the five hundred dollars ordered to Thomas Ediſon on the 3d of September, 1782, including what he has received ſince the 23d day of April, 1782.

On the report of a committee, conſiſting of Mr. Elſworth, Mr. Williamſon and Mr. Clarke, to whom was referred a letter of 22d of June, 1781, from doctor George Gilmer:

Reſolved, That the account of doctor G. Gilmer for pay and rations, be ſettled on the ſame principles as the accounts of other hoſpital ſurgeons of the ſame rank, according

cording to the time he ſhall appear to have been employed in the public ſervice; and that the purveyor general return to doctor George Gilmer a quantity of medicine equal to what he expended out of his private ſtores, for the uſe of the continental hoſpital under his care.

On motion of Mr. Hamilton, ſeconded by Mr. Williamſon,

Ordered, That the ſecretary lay before Congreſs on every Monday, a liſt of all the committees which have been appointed at any time before the preceding week, and have not reported; and that ſuch committees be then called on to ſtate the reaſons why they have not reported.

Congreſs reſumed the conſideration of the report of the committee, on the letter from Mr. Pollock;

And on the queſtion, for allowing him a ſalary of 2000 dollars per annum, as continental agent for five years, the yeas and nays being required by Mr. Elſworth,

New-Hampſhire,	Mr. White	*no*	*
Maſſachuſetts,	Mr. Oſgood	*no*	
	Mr. Gorham	*ay*	*no*
	Mr. Higgenſon	*no*	
Rhode-Iſland,	Mr. Collins	*no*	*no*
	Mr. Arnold	*no*	
Connecticut,	Mr. Elſworth	*no*	*
New-York,	Mr. Floyd	*ay*	*ay*
	Mr. Hamilton	*ay*	
New-Jerſey,	Mr. Boudinot	*ay*	*divided*
	Mr. Condict	*no*	
Pennſylvania,	Mr. Fitzſimmons	*ay*	
	Mr. Wilſon	*ay*	*ay*
	Mr. Peters	*ay*	
Delaware,	Mr. M'Comb	*ay*	*ay*
	Mr. Bedford	*ay*	
Maryland,	Mr. T. S. Lee	*ay*	
	Mr. Carroll	*ay*	*ay*
	Mr. Hemſley	*ay*	
Virginia,	Mr. Jones	*ay*	
	Mr. Madiſon	*ay*	*ay*
	Mr. Bland	*ay*	
	Mr. Mercer	*ay*	
North-Carolina,	Mr. Hawkins	*ay*	*divided*
	Mr. Williamſon	*no*	

South-

South-Carolina,	Mr. Rutledge	ay }
	Mr. Izard	ay } ay
	Mr. Gervais	ay }

So the queſtion was loſt.

Ordered, That the farther conſideration of the report be poſtponed.

WEDNESDAY, APRIL 23, 1783.

On the report of a committee, conſiſting of Mr. Oſgood, Mr. Wilſon, Mr. Madiſon, Mr. Carroll and Mr. Williamſon, to whom was referred a memorial of brigadier general Hazen, in behalf of himſelf, officers and others, Canadian refugees;

Reſolved, That the memorialiſt be informed, that Congreſs retain a lively ſenſe of the ſervices the Canadian officers and men have rendered the United States, and that they are ſeriouſly diſpoſed to reward them for their virtuous ſufferings in the cauſe of liberty:

That they be farther informed, that whenever Congreſs can conſiſtently make grants of land, they will reward in this way as far as may be conſiſtent, the officers, men and others, refugees from Canada:

That ſo much of the memorial as relates to the payment of intereſt on the certificates of the officers and men, be referred to the ſuperintendant of finance to take order.

On the report of a committee, conſiſting of Mr. Oſgood, Mr. Bland, Mr. Hamilton, Mr. Madiſon and Mr. Peters, to whom was referred a letter of the 18th from the commander in chief:

Reſolved, That in the opinion of Congreſs, the time of the men engaged to ſerve during the war, does not expire until the ratification of the definitive treaty of peace:

That ſuch of the non commiſſioned officers and private ſoldiers of the above deſcription, as continue in ſervice to that period, ſhall be allowed their fire-arms and accoutrements, as an extra reward for their long and faithful ſervices:

That Congreſs, nevertheleſs, leave it to the diſcretion of the commander in chief, if circumſtances ſhall require it, to grant furloughs or diſcharges to thoſe men, as he may judge moſt expedient.

Ordered,

Ordered, That the remainder of the report be recommitted.

THURSDAY, APRIL 24, 1783.

A memorial of Ignace Penet, late a lieutenant in colonel Armand's corps, and a report from the secretary at war thereon, being read;

On motion of Mr Osgood, seconded by Mr. Hamilton,

Ordered, That the memorial be referred to the superintendant of finance, and that it be left to his discretion to act therein as he may conceive most proper.

The secretary for foreign affairs, having communicated to Congress a letter of the 14th of April to him from sir Guy Carleton:

Ordered, That the said letter from sir Guy Carleton, be referred to the commander in chief, and that he take such measures for carrying into effect the several matters therein mentioned, as to him shall seem expedient.

On motion of Mr. Gervais, seconded by Mr. Williamson,

Ordered, That the memorial of lieutenant Liston, praying for two hundred dollars, on account of pay due to him, that he may be enabled to return to South-Carolina, be referred to the superintendant of finance, and that it be left to his discretion to act therein as he may conceive most proper.

On the report of a committee, consisting of Mr. Fitzsimmons, Mr. Ellsworth, and Mr. Hamilton, to whom was referred a motion of Mr. Hamilton relative to the southern army:

Resolved, That the secretary at war and the superintendant of finance, take immediate measures for removing the lines of Virginia, Maryland and Pennsylvania, together with the corps of artillery and cavalry now under the command of major general Greene, to such places within their respective states as they shall think proper.

On the question to agree to the above resolution, the yeas and nays being required by Mr. Rutledge,

New Hampshire,	Mr. White	*ay*	*ay*
Massachusetts,	Mr. Osgood	*ay*	
	Mr. Gorham	*ay*	
	Mr. Higgenson	*ay*	

Rhode Iſland,	Mr. Collins	ay	ay
	Mr. Arnold	ay	
Connecticut,	Mr. Elſworth	ay	ay
New-York,	Mr. Floyd	ay	ay
	Mr. Hamilton	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Mifflin	ay	ay
	Mr. Fitzſimmons	ay	
Delaware,	Mr. M'Comb	ay	ay
	Mr. Bedford	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. Hemſley	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	no	
	Mr. Lee	ay	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Rutledge	no	no
	Mr. Izard	no	
	Mr. Gervais	no	

So it was reſolved in the affirmative.

SATURDAY, April 26, 1783.

The committee, conſiſting of Mr. Madiſon, Mr. Ellſworth and Mr. Hamilton, appointed to prepare an addreſs to the ſtates, to accompany the act of the 18th of this month, reported a draught, which being read and amended, was agreed to as follows:

ADDRESS to the States, by the United States in Congreſs aſſembled.

THE proſpect which has for ſome time exiſted, and which is now happily realized, of a ſucceſsful termination of the war, together with the critical exigencies of public affairs, have made it the duty of Congreſs to review and provide for the debts which the war has left upon the United States, and to look forward to the means

means of obviating dangers which may interrupt the harmony and tranquility of the confederacy. The result of their mature and solemn deliberations on these great objects, is contained in their several recommendations of the 18th instant, herewith transmitted. Although these recommendations speak themselves the principles on which they are founded, as well as the ends which they propose, it will not be improper to enter into a few explanations and remarks, in order to place in a stronger view the necessity of complying with them.

The first measure recommended is, effectual provision for the debts of the United States. The amount of these debts, as far as they can now be ascertained, is 42,000,375 dollars, as will appear by the schedule No. 1. To discharge the principal of this aggregate debt at once, or in any short period, is evidently not within the compass of our resources; and even if it could be accomplished, the ease of the community would require that the debt itself should be left to a course of gradual extinguishment, and certain funds be provided for paying in the mean time the annual interest. The amount of the annual interest, as will appear by the paper last referred to, is computed to be 2,415,956 dollars. Funds, therefore, which will certainly and punctually produce this annual sum at least, must be provided.

In devising these funds Congress did not overlook the mode of supplying the common treasury, provided by the articles of confederation; but after the most respectful consideration of that mode, they were constrained to regard it as inadequate and inapplicable to the form into which the public debt must be thrown. The delays and uncertainties incident to a revenue to be established and collected from time to time by thirteen independent authorities, is at first view irreconcileable with the punctuality essential in the discharge of the interest of a national debt. Our own experience, after making every allowance for transient impediments, has been a sufficient illustration of this truth. Some departure, therefore, in the recommendations of Congress, from the fœderal constitution, was unavoidable; but it will be found to be as small as could be reconciled with the object in view, and to be supported besides by solid considerations of interest and sound policy.

The

The fund which firſt preſented itſelf on this, as it did on a former occaſion, was a tax on imports. The reaſons which recommended this branch of revenue, have heretofore been ſtated in an act, of which a copy, No. 2, is now forwarded, and need not be here repeated. It will ſuffice to recapitulate, that taxes on conſumption are always leaſt burdenſome, becauſe they are leaſt felt, and are borne too, by thoſe who are both willing and able to pay them; that, of all taxes on conſumption, thoſe on foreign commerce are moſt compatible with the genius and policy of free ſtates; that from the relative poſitions of ſome of the more commercial ſtates, it will be impoſſible to bring this eſſential reſource into uſe without a concerted uniformity; that this uniformity cannot be concerted through any channel ſo properly as through Congreſs, nor for any purpoſe ſo aptly as for paying the debts of a revolution, from which an unbounded freedom has accrued to commerce.

In renewing this propoſition to the ſtates, we have not been unmindful of the objections which heretofore fruſtrated the unanimous adoption of it. We have limited the duration of the revenue to the term of 25 years; and we have left to the ſtates themſelves the appointment of the officers who are to collect it. If the ſtrict maxims of national credit alone were to be conſulted, the revenue ought manifeſtly to be coexiſtent with the object of it, and the collection placed in every reſpect under that authority which is to diſpenſe the former, and is reſponſible for the latter. Theſe relaxations will, we truſt, be regarded on one hand as the effect of a diſpoſition in Congreſs to attend at all times to the ſentiments of thoſe whom they ſerve, and on the other hand, as a proof of their anxious deſire that proviſion may be made in ſome way or other for an honourable and juſt fulfilment of the engagements which they have formed.

To render this fund as productive as poſſible, and at the ſame time to narrow the room for colluſions and frauds, it has been judged an improvement of the plan, to recommend a liberal duty on ſuch articles as are moſt ſuſceptible of a tax according to their quantity, and are of moſt equal and general conſumption; leaving all other articles, as heretofore propoſed, to be taxed according to their value,

The amount of this fund is computed to be 915,956 dollars. The eſtimates on which the computation is made

made, are detailed in paper No. 3. Accuracy in the firſt eſſay on ſo complex and fluctuating a ſubject is not to be expected. It is preſumed to be as near the truth as the defect of proper materials would admit.

The reſidue of the computed intereſt is 1,500,000 dollars, and is referred to the ſtates to be provided for by ſuch funds as they may judge moſt convenient. Here again the ſtrict maxims of public credit gave way to the deſire of Congreſs to conform to the ſentiments of their conſtituents. It ought not to be omitted, however, with reſpect to this portion of the revenue, that the mode in which it is to be ſupplied, varies ſo little from that pointed out in the articles of confederation, and the variations are ſo conducive to the great object propoſed, that a ready and unqualified compliance on the part of the ſtates may be the more juſtly expected. In fixing the quotas of this ſum, Congreſs, as may be well imagined, were guided by very imperfect lights, and ſome inequalities may conſequently have enſued. Theſe, however, can be but temporary, and as far as they may exiſt at all, will be redreſſed by a retroſpective adjuſtment, as ſoon as a conſtitutional rule can be applied.

The neceſſity of making the two foregoing proviſions one indiviſible and irrevocable act, is apparent. Without the firſt quality, partial proviſion only might be made where complete proviſion is eſſential; nay, as ſome ſtates might prefer and adopt one of the funds only, and the other ſtates the other fund only, it might happen that no proviſion at all would be made: without the ſecond a ſingle ſtate out of the thirteen might at any time involve the nation in bankruptcy, the mere practicability of which would be a fatal bar to the eſtabliſhment of national credit. Inſtead of enlarging on theſe topics, two obſervations are ſubmitted to the juſtice and wiſdom of the legiſlatures. Firſt: The preſent creditors, or rather the domeſtic part of them, having either made their loans for a period which has expired, or having become creditors in the firſt inſtance involuntarily, are intitled on the clear principles of juſtice and good faith, to demand the principal of their credits, inſtead of accepting the annual intereſt. It is neceſſary therefore, as the principal cannot be paid to them on demand, that the intereſt ſhould be ſo effectually and ſatisfactorily ſecured, as to enable them if they incline, to tranſfer their ſtock at its full value.

Secondly,

Secondly; if the funds be ſo firmly conſtituted as to inſpire a thorough and univerſal confidence, may it not be hoped, that the capital of the domeſtic debt, which bears the high intereſt of ſix per cent. may be cancelled by other loans obtained at a more moderate intereſt? The ſaving by ſuch an operation, would be a clear one, and might be a conſiderable one. As a proof of the neceſſity of ſubſtantial funds for the ſupport of our credit abroad, we refer to paper No. 4.

Thus much for the intereſt of the national debt: for the diſcharge of the principal within the term limited, we rely on the natural increaſe of the revenue from commerce, on requiſitions to be made from time to time for that purpoſe, as circumſtances may dictate, and on the proſpect of vacant territory. If theſe reſources ſhould prove inadequate, it will be neceſſary, at the expiration of twenty-five years, to continue the funds now recommended, or to eſtabliſh ſuch others as may then be found more convenient.

With a view to the reſource laſt mentioned, as well as to obviate diſagreeable controverſies and confuſions, Congreſs have included in their preſent recommendations, a renewal of thoſe of the 6th day of September, and of the 10th day of October, 1780. In both thoſe reſpects, a liberal and final accommodation of all interfering claims of vacant territory, is an object which cannot be preſſed with too much ſolicitude.

The laſt object recommended is, a conſtitutional change of the rule by which a partition of the common burdens is to be made. The expediency, and even neceſſity of ſuch a change, has been ſufficiently inforced by the local injuſtice and diſcontents which have proceeded from valuations of the ſoil in every ſtate where the experiment has been made. But how infinitely muſt theſe evils be increaſed, on a compariſon of ſuch valuations among the ſtates themſelves! On whatever ſide indeed this rule be ſurveyed, the execution of it muſt be attended with the moſt ſerious difficulties. If the valuations be referred to the authorities of the ſeveral ſtates, a general ſatisfaction is not to be hoped for: If they be executed by officers of the United States traverſing the country for that purpoſe, beſides the inequalities againſt which this mode would be no ſecurity, the expence would be both enormous and obnoxious: If the mode taken in the act of the

17th

17th day of February laſt, which was deemed on the whole leaſt objectionable, be adhered to, ſtill the inſufficiency of the data to the purpoſe to which they are to be applied, muſt greatly impair, if not utterly deſtroy all confidence in the accuracy of the reſult; not to mention that as far as the reſult can be at all a juſt one, it will be indebted for the advantage to the principle on which the rule propoſed to be ſubſtituted is founded. This rule, altho' not free from objections, is liable to fewer than any other that could be deviſed. The only material difficulty which attended it in the deliberations of Congreſs, was to fix the proper difference between the labour and induſtry of free inhabitants, and of all other inhabitants. The ratio ultimately agreed on was the effect of mutual conceſſions; and if it ſhould be ſuppoſed not to correſpond preciſely with the fact, no doubt ought to be entertained that an equal ſpirit of accommodation among the ſeveral legiſlatures, will prevail againſt little inequalities which may be calculated on one ſide or on the other. But notwithſtanding the confidence of Congreſs, as to the ſucceſs of this propoſition, it is their duty to recollect that the event may poſſibly diſappoint them, and to requeſt that meaſures may ſtill be purſued for obtaining and tranſmitting the information called for in the act of the 17th of February laſt, which in ſuch event will be eſſential.

The plan thus communicated and explained by Congreſs muſt now receive its fate from their conſtituents. All the objects compriſed in it are conceived to be of great importance to the happineſs of this confederated republic, are neceſſary to render the fruits of the revolution, a full reward for the blood, the toils, the cares and the calamities which have purchaſed it. But the object of which the neceſſity will be peculiarly felt, and which it is peculiarly the duty of Congreſs to inculcate, is the proviſion recommended for the national debt. Although this debt is greater than could have been wiſhed it is ſtill leſs on the whole than could have been expected, and when referred to the cauſe in which it has been incurred, and compared with the burdens which wars of ambition and of vain glory have entailed on other nations, ought to be borne not only with cheerfulneſs but with pride. But the magnitude of the debt makes no part of the queſtion. It is ſufficient that the debt has been fairly contracted and

that

that juſtice and good faith demand that it ſhould be fully diſcharged. Congreſs had no option but between different modes of diſcharging it. The ſame option is the only one that can exiſt with the ſtates. The mode which has after long and elaborate diſcuſſion, been preferred, is, we are perſuaded, the leaſt objectionable of any that would have been equal to the purpoſe. Under this perſuaſion, we call upon the juſtice and plighted faith of the ſeveral ſtates to give it its proper effect, to reflect on the conſequences of rejecting it, and to remember that Congreſs will not be anſwerable for them.

If other motives than that of juſtice could be requiſite on this occaſion, no nation could ever feel ſtronger; for to whom are the debts to be paid?

To AN ALLY, in the firſt place, who to the exertion of his arms in ſupport of our cauſe, has added the ſuccours of his treaſure; who, to his important loans, has added liberal donations; and whoſe loans themſelves carry the impreſſion of his magnanimity and friendſhip. For more exact information on this point we refer to paper No. 5.

To *individuals in a foreign country*, in the next place, who were the firſt to give ſo precious a token of their confidence in our juſtice, and of their friendſhip for our cauſe, and who are members of a republic which was ſecond in eſpouſing our rank among nations. For the claims and expectations of this claſs of creditors we refer to paper No. 6.

Another claſs of creditors is, *that illuſtrious and patriotic band of fellow citizens*, whoſe blood and whoſe bravery have defended the liberties of their country, who have patiently borne, among other diſtreſſes, the privation of their ſtipends, whilſt the diſtreſſes of their country diſabled it from beſtowing them; and who, even now, aſk for no more than ſuch a portion of their dues as will enable them to retire from the field of victory and glory into the boſom of peace and private citizenſhip, and for ſuch effectual ſecurity for the reſidue of their claims, as their country is now unqueſtionably able to provide. For a full view of their ſentiments and wiſhes on this ſubject, we tranſmit the paper No. 7; and as a freſh and lively inſtance of their ſuperiority to every ſpecies of ſeduction from the paths of virtue and honour, we add the paper No. 8.

The

The remaining claſs of creditors is compoſed partly of ſuch of our fellow citizens as originally lent to the public the uſe of their funds, or have ſince manifeſted moſt confidence in their country, by receiving transfers from the lenders; and partly of thoſe whoſe property has been either advanced or aſſumed for the public ſervice. To diſcriminate the merits of theſe ſeveral deſcriptions of creditors, would be a taſk equally unneceſſary and invidious. If the voice of humanity plead more loudly in favour of ſome than of others, the voice of policy, no leſs than of juſtice, pleads in favour of all. A wiſe nation will never permit thoſe who relieve the wants of their country, or who rely moſt on its faith, its firmneſs and its reſources, when either of them is diſtruſted, to ſuffer by the event.

Let it be remembered finally, that it has ever been the pride and boaſt of America, that the rights for which ſhe contended, were the rights of human nature. By the bleſſing of the author of theſe rights, on the means exerted for their defence, they have prevailed again all oppoſition, and form the baſis of thirteen independent ſtates. No inſtance has heretofore occurred, nor can any inſtance be expected hereafter to occur, in which the unadulterated forms of republican government can pretend to ſo fair an opportunity of juſtifying themſelves by their fruits. In this view the citizens of the United States are reſponſible for the greateſt truſt ever confided to a political ſociety. If juſtice, good faith, honour, gratitude and all the other qualities which enoble the character of a nation, and fulfil the ends of government, be the fruits of our eſtabliſhments, the cauſe of liberty will acquire a dignity and luſtre which it has never yet enjoyed; and an example will be ſet which cannot but have the moſt favourable influence on the rights of mankind. If on the other ſide, our governments ſhould be unfortunately blotted with the reverſe of theſe cardinal and eſſential virtues, the great cauſe which we have engaged to vindicate, will be diſhonoured and betrayed; the laſt and faireſt experiment in favour of the rights of human nature will be turned againſt them, and their patrons and friends expoſed to be inſulted and ſilenced by the votaries of tyranny and uſurpation.

By order of the United States in Congreſs aſſembled.

TUESDAY, APRIL 29, 1783.

The papers referred to in the foregoing addreſs and which are to accompany it, are as follows:

PAPER No. I.

An ESTIMATE of the NATIONAL DEBT, VIZ.

	Livres.	Dollars.
Due to the Farmers General of France,	1,000,000	
To Individuals in France, on unliquidated accounts, eſtimated,	3,000,000	
To the Crown of France, including a Loan of 10,000,000 borrowed in Holland, and for which France is Guarantee,	28,000,000	
To Ditto, a Loan for 1783,	6,000,000	
	38,000,000	
at 5 livres 8 ſous per dol.		7,037,037
To Lenders in Holland, received in part of the Loan contracted for by Mr. J. Adams, 1,678,000 florins		671,200
Borrowed in Spain by Mr. Jay,		150,000
One year's Intereſt of Dutch Loan of 10,000,000 Livres,		26,848
Foreign Debt, 1ſt January, 1783,		7,885,085

Domeſtic Debt.

On Loan-Office Certificates, reduced to Specie value,	11,463,802	
Intereſt unpaid for 1781,	190,000	
Ditto 1782,	687,828	
Credit to Sundries in Treaſury Books,	638,042	
Army Debt to 31ſt December, 1782.	5,635,618	
Unliquidated Debt, eſtimated at	8,000,000	
Commutation to the Army, agreeable to the Act of 22d March laſt,	5,000,000	
Bounty due to Privates	500,000	
Deficiencies in 1783, ſuppoſe	2,000,000	
		34,115,290
Total Debt,		42,000,375

Annual Intereſt of the Debt of the United States.

On the Foreign Debt, part at 4 and part at 5 per cent.	369,038.6
On the Domeſtic Debt, at 6 per cent.	2,046,917.4
	2,415,956

PAPER

PAPER No. II.

The letter of the 16th of December laſt to the governor of Rhode Iſland and Providence Plantations, as entered on the journal of that day.

By the United States in Congreſs aſſembled, December 16, 1782.

THE committee, conſiſting of Mr. Hamilton Mr. Madiſon and Mr. Fitzſimmons, to whom was referred the letter of 30th November, from the honourable William Bradford, ſpeaker of the lower houſe of aſſembly of the ſtate of Rhode-Iſland, containing, under three heads, the reaſons of that ſtate for refuſing their compliance with the recommendation of Congreſs for a duty on imports and prize goods; report,

"That they flatter themſelves the ſtate, on a re conſideration of the objections they have offered, with a candid attention to the arguments which ſtand in oppoſition to them, will be induced to retract their diſſent, convinced that the meaſure is ſupported on the moſt ſolid grounds of equal juſtice, policy and general utility. The following obſervations, contraſted with each head of the objections, ſucceſſively, will furniſh a ſatisfactory anſwer to the whole.

Firſt objection. "That the propoſed duty would be unequal in its operation, bearing hardeſt upon the moſt commercial ſtates, and ſo would preſs peculiarly hard upon that ſtate, which draws its chief ſupport from commerce."

The moſt common experience, joined to the concurrent opinions of the ableſt commercial and political obſervers, have eſtabliſhed beyond controverſy this general principle, "that every duty on imports is incorporated with the price of the commodity, and ultimately paid by the conſumer, with a profit on the duty itſelf, as a compenſation to the merchant for the advance of his money."

The merchant conſiders the duty demanded by the ſtate on the imported article, in the ſame light with freight or any ſimilar charge, and adding it to the original coſt, calculates his profit on the aggregate ſum. It may happen that at particular conjunctures, where the markets are overſtocked, and there is a competition among the ſellers, this may not be practicable; but in the general courſe of trade the demand for conſumption preponderates

ponderates, and the merchant can with eaſe indemnify himſelf, and even obtain a profit on the advance. As a conſumer, he pays his ſhare of the duty, but it is no further a burthen upon him. The conſequence of the principle laid down is, that every claſs of the community bears its ſhare of the duty in proportion to its conſumption, which laſt is regulated by the comparative wealth of the reſpective claſſes, in conjunction with their habits of expence or frugality. The rich and luxurious pay in proportion to their riches and luxury; the poor and parſimonious, in proportion to their poverty and parſimony. A chief excellence of this mode of revenue is, that it preſerves a juſt meaſure to the abilities of individuals, promotes frugality, and taxes extravagance. The ſame reaſoning in our ſituation applies to the intercourſe between two ſtates; if one imports and the other does not, the latter muſt be ſupplied by the former. The duty being transferred to the price of the commodity, is no more a charge on the importing ſtate for what is conſumed in the other than it is a charge on the merchant for what is conſumed by the farmer or artificer. Either ſtate will only feel the burthen in a ratio to its conſumption, and this will be in a ratio to its population and wealth. What happens between the different claſſes of the ſame community internally happens between the two ſtates; and as the merchant, in the firſt caſe, ſo far from loſing the duty himſelf, has a profit on the money he advances for that purpoſe; ſo the importing ſtate, which in the ſecond caſe is the merchant with reſpect to the other, is not only reimburſed by the non importing ſtate, but has a like benefit on the duty advanced. It is therefore the reverſe of a juſt poſition, that the duty propoſed will bear hardeſt on the moſt commercial ſtates; it will, if any thing, have a contrary effect, though not in a ſufficient degree to juſtify an objection on the part of the non-importing ſtates. For it is as reaſonable they ſhould allow an advance on the duty paid as on the firſt coſt, freight or any incidental charge. They have alſo other advantages in the meaſure fully equivalent to this diſadvantage. Over nice and minute calculations, in matters of this nature, are inconſiſtent with national meaſures, and in the imperfect ſtate of human affairs, would ſtagnate all the operations of government. Abſolute equality is not to be attained: to aim at it, is purſuing a ſhadow at the expence of the ſubſtance

ſtance, and in the event we ſhould find ourſelves wider of the mark, than if in the firſt inſtance we were content to approach it with moderation.

Second objection. "That the recommendation propoſes to introduce into that and the other ſtates, officers unknown and unaccountable to them, and ſo is againſt the conſtitution of the ſtate."

It is not to be preſumed that the conſtitution of any ſtate could mean to define and fix the preciſe numbers and deſcriptions of all officers to be permitted in the ſtate, excluding the creation of any new ones, whatever might be the neceſſity derived from that variety of circumſtances incident to all political inſtitutions. The legiſlature muſt always have a diſcretionary power of appointing officers, not expreſſly known to the conſtitution, and this power will include that of authoriſing the fœderal government to make the appointments in caſes where the general welfare may require it. The denial of this would prove too much; to wit, that the power given by the confederation to Congreſs, to appoint all officers in the poſt-office, was illegal and unconſtitutional.

The doctrine advanced by Rhode-Iſland would perhaps prove alſo that the fœderal government ought to have the appointment of no internal officers whatever; a poſition that would defeat all the proviſions of the confederation, and all the purpoſes of the union. The truth is, that no fœderal conſtitution can exiſt without powers that in their exerciſe affect the internal police of the component members. It is equally true, that no government can exiſt without a right to appoint officers for thoſe purpoſes which proceed from, and concenter in itſelf; and therefore the confederation has expreſsly declared that Congreſs ſhall have authority to appoint all ſuch "civil officers as may be neceſſary for managing the general affairs of the United States under their direction." All that can be required is, that the fœderal government confine its appointments to ſuch as it is empowered to make by the original act of union, or by the ſubſequent conſent of the parties; unleſs there ſhould be expreſs words of excluſion in the conſtitution of a ſtate, there can be no reaſon to doubt that it is within the compaſs of legiſlative diſcretion to communicate that authority.

The propriety of doing it upon the preſent occaſion, is founded on ſubſtantial reaſons. The

The measure proposed is a measure of necessity. Repeated experiments have shewn, that the revenue to be raised within these states is altogether inadequate to the public wants. The deficiency can only be supplied by loans. Our applications to the foreign powers, on whose friendship we depend, have had a success far short of our necessities. The next resource is to borrow from individuals. These will neither be actuated by generosity nor reasons of state. 'Tis to their interest alone we must appeal. To conciliate this, we must not only stipulate a proper compensation for what they lend, but we must give security for the performance.—We must pledge an ascertained fund; simple and productive in its nature; general in its principle, and at the disposal of a single will. There can be little confidence in a security under the constant revisal of thirteen different deliberatives. It must, once for all, be defined and established on the faith of the states solemnly pledged to each other, and not revocable by any without a breach of the general compact.

'Tis by such expedients that nations, whose resources are understood, whose reputations and governments are erected on the foundation of ages, are enabled to obtain a solid and extensive credit. Would it be reasonable in us to hope for more easy terms, who have so recently assumed our rank among the nations? Is it not to be expected, that individuals will be cautious in lending their money to a people in our circumstances, and that they will at least require the best security we can give?

We have an enemy vigilant, intriguing, well acquainted with our defects and embarrassments. We may expect that he will make every effort to instil diffidence into individuals, and in the present posture of our internal affairs, he will have too plausible ground on which to tread. Our necessities have obliged us to embrace measures, with respect to our public credit, calculated to inspire distrust. The prepossessions on this article must naturally be against us, and it is therefore indispensible we should endeavour to remove them, by such means as will be the most obvious and striking.

It was with these views Congress determined on a general fund; and the one they have recommended must, upon a thorough examination, appear to have fewer inconveniencies than any other.

It

It has been remarked as an eſſential part of the plan, that the fund ſhould depend on a ſingle will. This will not be the caſe, unleſs the collection, as well as the appropriation, is under the controul of the United States; for it is evident, that after the duty is agreed upon, it may, in a great meaſure, be defeated by an ineffectual mode of levying it. The United States have a common intereſt in an uniform and equally energetic collection; and not only policy, but juſtice to all the parts of the union, deſignates the utility of lodging the power of making it where the intereſt is common. Without this it might in reality operate as a very *unequal tax*.

Third objection. "That by granting to Congreſs a power to collect monies from the commerce of theſe ſtates, indefinitely as to time and quantity, and for the expenditure of which they are not to be accountable to the ſtates, they would become independent of their conſtituents, and ſo the propoſed impoſt is repugnant to the liberty of the United States."

Admitting the principle of this objection to be true, ſtill it ought to have no weight in the preſent caſe, becauſe there is no analogy between the principle and the fact.

Firſt. The fund propoſed is ſufficiently definite as to time, becauſe it is only co-extenſive with the exiſtence of the debt contracted and to be contracted in the courſe of the war. Congreſs are perſuaded that it is as remote from the intention of their conſtituents to perpetuate that debt, as to extinguiſh it at once by a faithleſs neglect of providing the means to fulfil the public engagements. Their ability to diſcharge it in a moderate time, can as little be doubted as their inclination, and the moment that debt ceaſes, the duty, ſo far as reſpects the preſent proviſion, ceaſes with it.

The reſolution recommending the duty, ſpecifies the object of it to be the diſcharge of the principal and intereſt of the debts already contracted, or which may be contracted on the faith of the United States for ſupporting the preſent war.

Secondly. The rate per cent. is fixed, and it is not at the option of the United States to encreaſe it. Though the product will vary according to the variations in trade; yet as there is this limitation of the rate, it cannot be properly ſaid to be indefinite as to quantity.

By

By the confederation, Congreſs have an abſolute diſcretion in determining the quantum of revenue requiſite for the national expenditure. When this is done, nothing remains for the ſtates, ſeparately, but the mode of raiſing. No ſtate can diſpute the obligation to pay the ſum demanded without a breach of the confederation; and when the money comes into the treaſury the appropriation is the excluſive province of the foederal government. This proviſion of the confederation (without which it would be an empty form) comprehends in it the principle in its fulleſt latitude, which the objection under conſideration treats as repugnant to the liberty of the United States, to wit, an indefinite power of preſcribing the quantity of money to be raiſed, and of appropriating it when raiſed.

If it be ſaid that the ſtates individually, having the collection in their own hands, may refuſe a compliance with exorbitant demands, the confederation will anſwer, that this is a point of which they have no conſtitutional liberty to judge. Such a refuſal would be an exertion of power, not of right, and the ſame power which could diſregard a requiſition made on the authority of the confederation, might at any time arreſt the collection of the duty.

The ſame kind of reſponſibility which exiſts with reſpect to the expenditure of the money furniſhed in the forms hitherto practiſed, would be equally applicable to the revenue from the imports.

The truth is, the ſecurity intended to the general liberty in the confederation, conſiſts in the frequent election, and in the rotation of the members of Congreſs, by which there is a conſtant and an effectual check upon them. This is the ſecurity which the people in every ſtate enjoy againſt the uſurpations of their internal governments; and it is the true ſource of ſecurity in a repreſentative republic. The government, ſo conſtituted, ought to have the means neceſſary to anſwer the end of its inſtitution. By weakening its hands too much it may be rendered incapable of providing for the interior harmony, or the exterior defence of the ſtate.

The meaſure in queſtion, if not within the letter, is within the ſpirit of the confederation. Congreſs, by that, are empowered to borrow money for the uſe of the United States, and by implication, to concert the means

neceſſary

neceſſary to accompliſh the end. But without inſiſting upon this argument, if the confederation has not made proper proviſion for the exigencies of the ſtates, it will be at all times the duty of Congreſs to ſuggeſt further proviſions; and when their propoſals are ſubmitted to the unanimous conſent of the ſtates, they can never be charged with exceeding the bounds of their truſt. Such a conſent is the baſis and ſanction of the confederation, which expreſsly, in the 13th article, empowers Congreſs to agree to and propoſe ſuch additional proviſion.

The remarks hitherto made, have had referrence principally to the future proſecution of the war. There ſtill remains an intereſting light in which the ſubject ought to be viewed.

The United States have already contracted a debt in Europe, and in this country, for which their faith is pledged. The capital of this debt can only be diſcharged by degrees; but a fund for this purpoſe, and for paying the intereſt annually, on every principle of policy and juſtice, ought to be provided. The omiſſion will be the deepeſt ingratitude and cruelty to a large number of meritorious individuals, who, in the moſt critical periods of the war, have adventured their fortunes in ſupport of our independence. It would ſtamp the national character with indelible diſgrace.

An annual proviſion for the purpoſe will be too precarious. If its continuance and application were certain it would not afford compleat relief. With many, the regular payment of intereſt, by occaſional grants, would ſuffice; but with many more it would not. Theſe want the uſe of the principal itſelf, and they have a right to it; but ſince it is not in our power to pay off the principal, the next expedient is to fund the debt and render the evidences of it negotiable.

Beſides the advantage to individuals from this arrangement, the active ſtock of the nation would be increaſed by the whole amount of the domeſtic debt, and of courſe the abilities of the community to contribute to the public wants; the national credit would revive and ſtand hereafter on a ſecure baſis.

This was another object of the propoſed duty.

If it be conceded that a ſimilar fund is neceſſary, it can hardly be diſputed that the one recommended is the moſt eligible. It has been already ſhewn that it affects all

parts of the community in proportion to their conſumption, and has therefore the beſt pretenſions to equality. It is the moſt agreeable tax to the people that can be impoſed, becauſe it is paid inſenſibly and ſeems to be voluntary.

It may perhaps be imagined that it is unfavourable to commerce, but the contrary can eaſily be demonſtrated. It has been ſeen that it does not diminiſh the profit of the merchant, and of courſe can be no diminution of his inducements to trade. It is too moderate in its amount to diſcourage the conſumption of imported goods, and cannot on that account abridge the extent of importations. If it even had this effect, it would be an advantage to commerce, by leſſening the proportion of our imports to our exports, and inclining the balance in favour of this country.

The principal thing to be conſulted for the advancement of commerce, is to promote exports. All impediments to theſe, either by way of prohibition or by encreaſing the prices of native commodities, decreaſing by that means their ſale and conſumption at foreign markets, are injurious. Duties on exports have this operation. For the ſame reaſon, taxes on poſſeſſions and the articles of our own growth or manufacture, whether in the form of a land tax, exciſe or any other, are more hurtful to trade than impoſt duties. The tendency of all ſuch taxes is to encreaſe the prices of thoſe articles which are the objects of exportation, and to enable others to underſell us abroad. The farmer, if he pays a heavy land tax, muſt endeavour to get more for the products of his farm: the mechanic and labourer, if they find the neceſſaries of life grow dearer by an exciſe, muſt endeavour to exact higher wages: and theſe cauſes will produce an encreaſe of prices within, and operate againſt foreign commerce.

It is not, however, to be inferred that the whole revenue ought to be drawn from imports: all extremes are to be rejected. The chief thing to be attended to is, that the weight of the taxes fall not too heavily in the firſt inſtance upon particular parts of the community. A judicious diſtribution to all kinds of taxable property, is a firſt principle in taxation. The tendency of theſe obſervations is only to ſhew, that taxes on poſſeſſions, on articles of our own growth and manufacture, are more prejudicial to trade than duties on imports.

The

The obſervations which conclude the letter on which theſe remarks are made, naturally lead to reflections that deſerve the ſerious attention of every member of the union. There is a happy mean between too much confidence and exceſſive jealouſy, in which the health and proſperity of a ſtate conſiſt. Either extreme is a dangerous vice; the firſt is a temptation to men in power to arrogate more than they have a right to; the latter enervates government, prevents ſyſtem in the adminiſtration, defeats the moſt ſalutary meaſures, breeds confuſion in the ſtate, diſguſts and diſcontents among the people, and may eventually prove as fatal to liberty as the oppoſite temper.

It is certainly pernicious to leave any government in a ſituation of reſponſibility diſproportioned to its power.

The conduct of the war is intruſted to Congreſs, and the public expectation turned upon them without any competent means at their command to ſatisfy the important truſt. After the moſt full and ſolemn deliberation, under a collective view, of all the public difficulties, they recommend a meaſure which appears to them the corner ſtone of the public ſafety: they ſee this meaſure ſuſpended for near two years—partially complied with by ſome of the ſtates, rejected by one of them, and in danger on that account to be fruſtrated; the public embarraſſments every day encreaſing, the diſſatisfaction of the army growing more ſerious, the other creditors of the public clamouring for juſtice; both irritated by the delay of meaſures for their preſent relief or future ſecurity, the hopes of our enemies encouraged to protract the war, the zeal of our friends depreſſed by an appearance of remiſſneſs and want of exertion on our part, Congreſs harraſſed, the national character ſuffering, and the national ſafety at the mercy of events.

This ſtate of things cannot but be extremely painful to Congreſs, and appear to your committee to make it their duty to be urgent to obviate the evils with which it is pregnant."

Reſolved, That Congreſs agree to the ſaid report.

PAPER No. III.

An Eſtimate of the Produce of the Impoſt on Imported Articles.

BEFORE the war the exports from Great-Britain to America were eſtimated at three and a half millions

ſterling

sterling, in which was included tea; but there were importations from Ireland and Scotland, as well as from Holland, not included in that estimate. It is now thought best to estimate the imports of all goods from Europe, exclusive of tea, brandy and wine, at, 3,500,000l. sterling, at 4/6 per dollar, is 15,555,554 dollars, impost of five per cent. ad valorem 777,773

On 2,000,000 gallons rum and other spirits, 3-90ths per gallon.		66,666	60·90
100,000 ditto Madeira wine	12-90ths	13,333	30
600,000 do. other wine,	6	40,000	
300,000 llb. bohea tea.	6	20,000	
25,000 do. other teas	24	6,666	
75,000 cwt. sugar (including loaf,	56	46,666	
200,000 llb. coffee & cocoa,	1	2,222	
2,000,000 gallons molasses,	1	22,223	
		995,550	
Deduct for collection, about 8 per cent.		79,594	
Net revenue upon this estimate,		915,956	

There are no precise data from which this computation could be made with any degree of certainty. The number of inhabitants has governed in part, and the imports of particular articles into the port of Philadelphia have been attended to.

The exactitude of the computation is of the less consequence, as the act of the 16th December, 1782, provides, that if the revenue shall at any time exceed the annual interest, the residue shall form a sinking fund for the discharge of the principal; and if it shall be found insufficient, the states will be called upon to enlarge their grants of revenue.

PAPER No. IV.

Extract of a Letter from the Honourable B. Franklin to the Superintendant of Finance, dated 23d December 1782, and a letter of 15th of March, 1783, to the same, from the honourable the Minister plenipotentiary of France, as follow:

Passy, December 23, 1782.

"FRIDAY last order was given to furnish me with six hundred thousand livres immediately, and I was answered

ed by M. de Vergennes " that the reſt of the ſix millions " ſhould be paid us quarterly in the courſe of the year " 1783."

" I preſſed hard for the whole ſum demanded, but was told " it was impoſſible."

" Our people certainly ought to do more for themſelves. It is abſurd the pretending to be lovers of liberty while they grudge paying for the defence of it. It is ſaid here, that an impoſt of five per cent. on all goods imported, though a moſt reaſonable propoſition, had not been agreed to by all the ſtates, and was therefore fruſtrated; and that your news-papers acquaint the world with this, with the non-payment of taxes by the people, and with the non-payment of intereſt to the creditors of the public.

" The knowledge of theſe things have hurt our credit and the loan in Holland, and would prevent our getting any thing here but from government. The foundation for credit abroad ſhould be laid at home; and certain funds ſhould be prepared and eſtabliſhed beforehand, for the regular payment at leaſt of the intereſt."

Philadelphia, March 15, 1783.

SIR,

I HAVE the ſatisfaction to inform you that his majeſty procures for the United States a loan of ſix millions, to be employed in the war department during the courſe of the current year. While I announce to you this new mark of the king's friendſhip for the United States, I muſt go into ſome details which relate to your operations, and which will inform you of the motives which have induced his majeſty to make a new effort in favour of his allies.

During the laſt year, ſir, I rendered an account to his majeſty's miniſters of the order which appeared to me to be introduced into your department, of the re-eſtabliſhment of public credit, and of the œconomy which accompanied your operations. I added, that I conſidered the eſtabliſhment of a general revenue for paying the intereſt and gradual redemption of the principal of the public debt, as extremely probable. The delays and difficulties of communication would not permit me to wait until that operation was compleated by the different legiſlatures, before I declared the wants of the United States;

and

and therefore I undertook to write to the count de Vergennes, that the diſpoſition of the people to fulfil the engagements taken and to be taken by Congreſs, ſeemed to me ſufficiently favourable to determine his majeſty to lend for the year, new ſuccour to the United States if the ſituation of his finances would permit. Theſe aſſurances obtained the loan of ſix millions; but the event has proved that I was deceived in the hopes which I thought myſelf enabled to give my court; and the affairs of your finances, far from being bettered ſince the month of September, the period at which my letters on this ſubject were written, have on the contrary gone backward; ſo that I perceive no certainty of the reimburſement of the ſums formerly lent, or of thoſe which now are ſo. Thus, ſir, my haſty aſſurances have induced his majeſty to make that advance, and in the moment when I am informed of it, I am under the diſagreeable neceſſity of informing his miniſter that the hopes I had given are vaniſhed, and that my aſſurances were without foundation. I will ſay nothing of the perſonal embarraſſment which I am reduced to by theſe circumſtances; but I will take the liberty to obſerve, that the beſt remedy in the preſent conjuncture is, to take as ſoon as poſſible thoſe meaſures which were not taken when I announced them.

The count de Vergennes informs me, ſir, that the ſix millions are lent to the United States in the ſame manner and under the ſame conditions with the ſum which was lent laſt year. That is to ſay, that it ſhall be paid monthly, at the rate of five hundred thouſand livres per month. But as it appears from what you did me the honour to write on a former occaſion, that you had anticipated a part of this ſubſidy, I muſt pray you to conſider, that the firſt months of this year will have been employed in payment of thoſe anticipations, and that it will be proper ſo to combine your drafts, as that they ſhall not be preſented but at the monthly periods in which the funds are to be provided.

I have had the honour to inform you, ſir, that this money is lent to the United States to enable them to carry on the war. The wiſdom of Congreſs will determine according to circumſtances, on the manner of effecting that important object, and of compelling the enemy by joint efforts to conclude a ſolid and permanent peace.

It

It remains for me to inform you, sir, that the king was unable to make this last effort without extreme difficulty. I have had the honour to communicate those which oppose considerable loans. They are so great, that I am commanded to inform you, in the most positive terms, that it will be impossible for the king, in any case whatever, to obtain new advances for Congress for the next year. As to the resources which you may seek elsewhere than in France, the details contained in those letters which I had the honour to read to you, will not permit a hope of success until the United States shall have established a permanent public revenue; and the delay and repugnancy with which they proceed in that business being known in Europe, the disposition to lend money to Congress ceases. Lenders place their money elsewhere: those speculations which would have been directed towards the United States take a different turn, and it will be extremely difficult to bring them back.

I abstain from repeating here the other parts of the count de Vergennes's dispatches, which I had the honor to communicate, because the truths they contain are well known to you, and because they may all be reduced to this single position, that *without a speedy establishment of solid general revenue, and an exact performance of the engagements which Congress have made, you must renounce the expectation of loans in Europe.*

I am ordered also, sir, to inform Congress, that my court expect they will have taken final and satisfactory measures to secure payment of the interest of the debt contracted with his majesty by the United States; but I content myself with communicating this circumstance to you, and before announcing it directly to Congress, I will wait till their present embarrassments shall be diminished.

From these details, sir, you will be able to judge of the impossibility of negociating bills upon your plenipotentiaries beyond the funds which remain free from the six millions lent this year. It is very clear, that such bills will not be paid by us; and it is from perfect confidence in your regularity upon that subject, that I shall assure the count de Vergennes, he may be certain no demand will be made on him beyond the sums already granted.

I have the honor to be, &c.

PAPER

PAPER No. V.

The Contract between His Moſt Chriſtian Majeſty and the United States of America, entered into by the count de Vergennes and Mr. Franklin the 16th of July, 1782, and ratified by Congreſs the 22d day of January, 1783.

THE king having been pleaſed to attend to the requeſts made to him in the name, and on behalf of the United Provinces of North-America, for aſſiſtance in the war and invaſion under which they had for ſeveral years groaned; and his majeſty, after entering into a treaty of amity and commerce with the ſaid confederated provinces, on the 6th of February, 1778, having had the goodneſs to ſupport them, not only with his forces by land and ſea, but alſo with advances of money, as abundant as they were effectual, in the critical ſituation to which their affairs were reduced. It has been judged proper and neceſſary to ſtate exactly the amount of thoſe advances, the conditions on which the king made them, the periods at which the Congreſs of the United States have engaged to repay them to his majeſty's royal treaſury, and in fine, to ſtate this matter in ſuch a way as for the future to prevent all difficulties capable of interrupting the good harmony which his majeſty is reſolved to maintain and preſerve between him and the ſaid United States. For executing ſo laudable a purpoſe, and with a view to ſtrengthen the bands of amity and commerce which ſubſiſt between his majeſty and the ſaid United States; we, Charles Gravier de Vergennes, &c. counſellor of the king in all his councils, commander of his orders, miniſter and ſecretary of ſtate, and of his commands and finances, veſted with full powers of his majeſty to us given for this purpoſe: and we Benjamin Franklin, miniſter plenipotentiary of the United States of North-America, in like manner veſted with full powers of the Congreſs of the ſaid ſtates for the preſent purpoſe; after duly communicating our reſpective powers; have agreed to the following articles:

ARTICLE I.

It is agreed and certified, that the ſums advanced by his majeſty to the Congreſs of the United States, under the

the title of a loan in the years 1778, 1779, 1780, 1781, and the preſent, 1782, amount to the ſum of eighteen million of livres, money of France, according to the following twenty-one receipts of the abovementioned under written miniſter of Congreſs, given in virtue of his full powers, to wit.

1	28 February,	1778,	-	750,000	
2	19 May,	ditto,	-	750,000	
3	3 Auguſt,	ditto,	-	750,000	
4	1 November,	ditto,	-	750,000	
					3,000,000
5	10 June,	1779,	-	250,000	
6	16 September,	ditto,		250,000	
7	4 October,	ditto,	- -	250,000	
8	21 December,	ditto,	-	250,000	
					1,000,000
9	29 February,	1780,		750,000	
10	23 May,	ditto,		750,000	
11	21 June,	ditto,	-	750,000	
12	5 October,	ditto,	-	750,000	
13	27 November,	ditto,	- -	1,000,000	
					4,000,000
14	15 February,	1781,	-	- 750,000	
15	15 May,	ditto,		750,000	
16	15 Auguſt,	ditto,	-	750,000	
17	1 Auguſt,	ditto,	-	1,000,000	
18	15 November,	ditto,	-	750,000	
					4,000,000
19	10 April,	1782,	-	- 1,500,000	
20	1 July,	ditto,		1,500,000	
21	5 of the ſame month,		-	3,000,000	
					6,000,000
Amounting in the whole to 18 millions viz.					18,000,000

By which receipts the ſaid miniſter has promiſed in the name of Congreſs, and in behalf of the thirteen United States, to cauſe to be paid and reimburſed to the royal treaſury of his majeſty, on the 1ſt of January, 1788, at

the houſe of his grand banker at Paris, the ſaid ſum of eighteen million money of France, with intereſt at five per cent. per annum.

ARTICLE II.

Conſidering that the payment of ſo large a capital at the one ſtipulated period, the 1ſt of January, 1788, may greatly injure the finances of the Congreſs of the United States, and it may perhaps be even impracticable on that footing, his majeſty has been pleaſed for that reaſon to recede in that reſpect from the tenor of the receipts which the miniſter of Congreſs has given for the eighteen millions livres tournois, mentioned in the foregoing article, and has conſented that the payment of the capital in ready money, at the royal treaſury, be in twelve equal payments of 1,500,000 livres each, and in twelve years only, to commence from the third year after a peace.

ARTICLE III.

Although the receipts of the miniſter of the Congreſs of the United States ſpecify, that the eighteen million livres abovementioned, are to be paid at the royal treaſury, with intereſt at five per cent. per annum, his majeſty being willing to give the ſaid United States a new proof of his affection and friendſhip, has been pleaſed to make a preſent of, and to forgive the whole arrears of intereſt to this day, and from thence to the day of the date of the treaty of peace; a favour which the miniſter of the Congreſs of the United States acknowledges to flow from the pure bounty of the king, and which he accepts in the name of the ſaid United States with profound and lively acknowledgments.

ARTICLE IV.

The payment of the ſaid eighteen millions of livres tournois ſhall be in ready money at the royal treaſury of his majeſty at Paris, in twelve equal parts, and at the terms ſtipulated in the above ſecond article. The intereſt of the ſaid ſum, at five per cent. per annum, ſhall commence with the date of the treaty of peace, and ſhall be paid at every period of the partial payments of the capital, and ſhall diminiſh in proportion with the payments.

The

The Congreſs of the ſaid United States being left, however, at liberty to free themſelves ſooner from this obligation by anticipated payments, in caſe the ſtate of their finances will admit.

ARTICLE V.

Although the loan of five millions of florins of Holland, agreed to by the States General of the United Provinces of the Netherlands, on the terms of the obligation paſſed on the 5th of November, 1781, between his majeſty and the ſaid States General, has been made in his majeſty's name, and guaranteed by him; it is nevertheleſs acknowledged by theſe preſents, that the ſaid loan was made in reality on account and for the ſervice of the United States of North-America, and that the capital, amounting at a moderate valuation, to the ſum of ten millions livres tournois, has been paid to the ſaid United States, agreeably to a receipt for the payment of the ſaid ſum, given by the underſigned miniſter of Congreſs the ſeventh day of June laſt.

ARTICLE VI.

By the convention of the ſaid 5th of November, 1781, the king has been pleaſed to promiſe and engage to furniſh and pay at the general counter of the States General of the Netherlands, the capital of the ſaid loan, with the intereſt at four per cent. per annum, without any charge or deduction whatever to the lenders, ſo that the ſaid capital ſhall be wholly repaid after the ſpace of five years, the payments to be made in ten equal periods, the firſt of which to commence the ſixth year from the date of the loan, and afterwards from year to year to the final payment of the ſaid ſum; but it is in like manner acknowledged by this act, that this engagement was entered into by the king, at the requeſt of the underſigned miniſter of the United States, and on the promiſe by him made in the name of Congreſs, and on behalf of the thirteen United States, to cauſe to be reimburſed and paid at the royal treaſury of his majeſty at Paris, the capital, intereſt and coſt of the ſaid loan, according to the conditions and terms fixed by the ſaid convention of the 5th of November, 1781.

ARTICLE

ARTICLE VII.

It is accordingly agreed and ſettled, that the ſum of ten million livres tournois, being by a moderate computation, the principal of the loan of five millions of Holland florins abovementioned, ſhall be reimburſed, and paid in ready money at the royal treaſury of his majeſty at Paris, with the intereſt at four per cent. per annum, in ten equal payments of one million each, and in ten terms, the firſt of which ſhall be on the 5th of November, 1787, the ſecond, the 5th of November, 1788, and ſo from year to year till the final payment of the ſaid ſum of ten millions, the intereſt leſſening in proportion with the partial payments of the capital. But in conſequence of the king's affection for the United States, his majeſty has been pleaſed to charge himſelf with the expence of commiſſions and bank for the ſaid loan, of which expences his majeſty has made a preſent to the United States, and this their under ſigned miniſter accepts with thanks in the name of Congreſs, as a new proof of his majeſty's generoſity and friendſhip for the ſaid United States.

ARTICLE VIII.

With regard to the intereſt of the ſaid loan during the five years preceding the firſt term of payment of the capital, as the king has engaged to pay it at the general counter of the States General of the Netherlands, at the rate of four per cent. yearly, and every year, counting from the 5th of November, 1781, according to the convention of that day, the miniſter of Congreſs acknowledges that the re-payment of that is due to his majeſty by the United States, and he engages in the name of the ſaid United States, to cauſe payment thereof to be made, at the ſame time and at the ſame rate at the royal treaſury of his majeſty; the firſt year's intereſt to be paid the 5th of November next, and ſo yearly, during the five years preceding the firſt term for the payment of the capital, fixed as above on the 5th of November, 1787.

The high contracting parties reciprocally bind themſelves to the faithful obſervance of this contract, the ratifications of which ſhall be exchanged in the ſpace of nine months from this day, or ſooner if poſſible.

In teſtimony whereof, we the ſaid plenipotentiaries of His

His Moſt Chriſtian Majeſty, and of the thirteen United States of North America, in virtue of our reſpective powers have ſigned theſe preſents, and thereunto fixed the ſeal of our arms.

Done at Verſailles, the ſixteenth day of July, one thouſand ſeven hundred and eighty-two.

GRAVIER DE VERGENNES, (L. S.) B. FRANKLIN. (L. S.)

PAPER No. VI.

The Contract entered into by the Honourable J. ADAMS, in behalf of the United States, with Sundries, for a loan of five millions of Florins.

TRANSLATION from the DUTCH.
Minuted on a Seal of 48 Stivers,
(Signed) VAN HOLE, Notary.

ON the 11th day of June, in the year one thouſand ſeven hundred and eighty-two, appeared before me, Pieter Galenus Van Hole, notary of Amſterdam, admitted by the honourable court of Holland,

The honourable John Adams, eſquire, miniſter plenipotentiary on the part of the United States of America, by their High Mightineſſes the Lords States General of the United Netherlands, &c. &c. in quality, as eſpecially qualified and authoriſed by the abovementioned ſtates of America in Congreſs aſſembled, for and in behalf of the ſaid ſtates of America, to raiſe a loan with any perſon or perſons, ſtates or companies, with ſubjoined aſſurance in good faith to ratify and fulfil all that ſhall be done in this reſpect by him, honourable appearer, according to authentic copy and tranſlation of the original commiſſion or power exhibited to me, notary, and depoſited in my cuſtody, in behalf of the joint money lenders.

The honourable appearer reſiding in the Hague, but being now in this city.

And the honourable appearer acknowledged himſelf, in his aforeſaid quality, and thus in the name and in behalf of the abovementioned ſtates of America, to be duly and lawfully indebted to and in behalf of ſundry perſons

or

or money lenders, in all a ſum of one million of guilders, Dutch current money, ariſing from and on account of ſo much ready money received by him honourable appearer, in his aforeſaid quality, to his perfect ſatisfaction from the ſaid money lenders, in conſequence of the receipt hereafter mentioned, to be ſigned by the honourable appearer, under the authentic copies hereof, expreſſly and formally diſavowing the excuſe of untold monies.

And the honourable appearer promiſed, in his aforeſaid quality, to repay in this city the ſaid ſum of one million of guilders, free from all coſts, charges and damages, to the abovementioned money lenders, or their aſſigns, at the expiration of fifteen years after the 1ſt day of June, 1782; and that in the following manner, to wit,

That the abovementioned capital ſhall remain fixed during the ſpace of ten years, and that with the eleventh year, and thus on the 1ſt day of June, 1793, a fifth part, or two hundred thouſand guilders of the ſaid capital of one million, ſhall be redeemed, and in the ſame manner from year to year until the 1ſt day of June, 1797, inclu. ſive, ſo that the whole capital ſhall be redeemed and diſcharged within the abovementioned ſpace of fifteen years.

And that for ſaid capital, at firſt for the whole, and afterwards for the reſidue, at the expiration of every year, intereſt ſhall be paid at the rate of five per cent. in the year commencing the firſt day of June, 1782, and to continue until the final accompliſhment, and that on *coupons*, to be ſigned by or for account of ſaid honourable appearer in his aforeſaid quality.

That the abovementioned redeeming ſhall be performed by drawing in preſence of a notary and witneſſes in this city, after the expiration of the firſt mentioned ten years, in ſuch a manner that the Nos: of the obligations drawn ſhall be by times made known in the public papers.

That the payment of the intereſts, as alſo the redeeming of the reſpective periods, ſhall be made at the compting houſes of the hereafter mentioned gentlemen directors, or at ſuch other places within this city, as ſhall likewiſe be advertiſed in the public papers.

That the directors of this negociation ſhall be meſſrs. Wilhelm et Jan Willink, Nicolaas et Jacob Van Staphorſt and

and de la Lande et Fynje, merchants of this city, who are by these presents thereto named and appointed by the honourable appearer in his aforesaid quality.

The honourable appearer promising and engaging, in the names of his constituents, that the amount of the interests and of the redeemings to be made from time to time of the said capital, shall be in due time remitted to the aforesaid gentlemen directors, their heirs or successors, in good bills of exchange, American products, or in ready money, without any abatement or deduction whatsoever.

That this obligation shall never be subject to any impost or taxes already laid or in time to come to be laid in the said United States of America, even in case (which God forbid) any war, hostilities or divisions should arise between aforesaid United States or any of them, on the one side, and the States of these lands on the other, that the payment of the capital or interests of this obligtion can in no wise nor under any pretext whatsoever be hindred or delayed.

The honourable appearer in his aforesaid quality, promising and engaging, moreover, for and in the names of the said United States, that there shall never be made by them or on their parts, or any of them in particular, any convention or treaty, public or private, at the making of peace or otherwise, by which the validity and accomplishment of these presents might be prejudiced, or whereby any thing contrary thereto might be stipulated, but that without any exception the contents hereof shall be maintained in full force.

The honourable appearer in his aforesaid quality likewise promises, engages and binds himself by these presents, that this engagement shall be ratified and approved as soon as possible by said United States in Congress assembled, and that authentic copy translation of said ratification, with the original, shall be deposited in custody of me, notary, to be there kept with said authentic copy translation of the commission or power of him honourable appearer, and the engrossed hereof, for the security of the money lenders, until the abovementioned capital and interests as aforesaid shall be redeemed and paid off.

And there shall be made of this act (as the honourable appearer in his aforesaid quality consents) above and besides the abovementioned engrossed, one thousand authentic

tic copies which ſhall be of the ſame force and value and have the ſame effect as the engroſſed one, under every one of which copies ſhall be placed a receipt of one thouſand guilders Dutch current money, either on name or in blank, at the choice of the money lenders, to be ſigned by him honourable appearer, and which receipts ſhall be reſpectively numbered from No. 1 to 1000 incluſive, and counterſigned by abovementioned gentlemen directors, and duly atteſted by me, notary, as a teſtimony that no more than one thouſand obligations are numbered in virtue of this act. All which authentic copies, with the receipts thereunder placed, ſhall, at the redeeming of the capital, be reſtored by the bearers.

On failure of prompt payment, as well of the capital, as of the intereſts at the appointed periods, the capital or reſidue thereof may be demanded by the gentlemen directors in behalf of the money lenders, who ſhall be then intereſted therein, and the aforeſaid principals and committents of him, honourable appearer, ſhall in that caſe be held and bound to redeem and diſcharge immediately in one ſum the remaining capital with the intereſts and charges.

For the accompliſhment and performance of all the above written, the honourable appearer binds in his aforeſaid quality, and thus in the names and on the part of the abovementioned United States of America, the ſaid United States of America jointly and each of them in particular, together with all their lands, chattles revenues and products, together with impoſts and taxes already laid and raiſed in the ſame, or in time to come to be laid and raiſed, and thus of all the United States of America jointly and of each of the ſame in particular for the whole.

He the honourable appearer renouncing, in the names as above, for that purpoſe expreſsly *beneficium diviſionis*, as likewiſe *de duobus vel pluribus reis debendi*, ſignifying a retribution of debts, and that when two or more are indebted, each of them can ſatisfy with the payment of their portion; the honourable appearer promiſing in his aforeſaid quality, never to have recourſe to the ſaid or to any other evaſions whatſoever.

This being paſſed (after tranſlation into Engliſh was made hereof, and which likewiſe is ſigned by the honora-

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ble appearer, and depoſited in the cuſtody of me the ſaid notary) within Amſterdam aforeſaid, in the preſence of

GIDION VICTOR et CORNELIS MARCHANT, } witneſſes.

(Signed) P. G. VAN HOLE, notary.

Coll:

Faithfully tranſlated from the Dutch, Amſterdam, this 17th day of June, 1782.

JOANNES VERGEEL, L. Son. ſworn tranſlator.

No. 1.

There are four others of the ſame tenor and date, numbered 2, 3, 4, 5, making in the whole five millions guilders; and each of the ſaid contracts is ratified by Congreſs.

PAPER No. VII.

To the United States in Congreſs aſſembled.

The Addreſs and Petition of the Officers of the Army of the United States,

HUMBLY SHEWETH,

THAT we, the officers of the army of the United States, in behalf of ourſelves and our brethren the ſoldiers, beg leave, with all proper deference and reſpect, freely to ſtate to Congreſs, the ſupreme power of the United States, the great diſtreſs under which we labour.

At this period of the war it is with peculiar pain we find ourſelves conſtrained to addreſs your auguſt body, on matters of a pecuniary nature. We have ſtruggled with our difficulties, year after year, under the hopes that each would be the laſt; but we have been diſappointed. We find our embarraſſments thicken ſo faſt, and have become ſo complex, that many of us are unable to go further. In this exigence we apply to Congreſs for relief, as our head and ſovereign.

To prove that our hardſhips are exceedingly diſproportionate to thoſe of any other citizens of America, let a recurrence be had to the paymaſter's accounts, for four years paſt. If to this it ſhould be objected, that the reſpective ſtates have made ſettlements and given ſecurities for the pay due, for part of that time, let the preſent value of thoſe nominal obligations be aſcertained by the monied men, and they will be found to be worth little indeed; and yet, trifling as they are, many have been under the ſad neceſſity of parting with them, to prevent their families from actually ſtarving. We

We complain that ſhadows have been offered to us, while the ſubſtance has been gleaned by others.

Our ſituation compels us to ſearch for the cauſe of our extreme poverty. The citizens murmur at the greatneſs of their taxes, and are aſtoniſhed that no part reaches the army. The numerous demands, which are between the firſt collectors and the ſoldiers, ſwallow up the whole.

Our diſtreſſes are now brought to a point. We have borne all that men can bear—our property is expended—our private reſources are at an end, and our friends are wearied out and diſguſted with our inceſſant applications. We therefore moſt ſeriouſly and earneſtly beg, that a ſupply of money may be forwarded to the army as ſoon as poſſible. The uneaſineſs of the ſoldiers, for want of pay, is great and dangerous; any further experiments on their patience may have fatal effects.

The promiſed ſubſiſtence or ration of proviſions, conſiſted of certain articles ſpecified in kind and quantity. This ration, without regard, that we can conceive, to the health of the troops, has been frequently altered, as neceſſity or conveniency ſuggeſted, generally loſing by the change ſome part of its ſubſtance. On an average, not more than ſeven or eight tenths have been iſſued; the retained parts were, for a ſhort time, paid for; but the buſineſs became troubleſome to thoſe who were to execute it. For this, or ſome other reaſons, all regard to the dues, as they reſpected the ſoldiers, has been diſcontinued (now and then a trifling gratuity excepted.) As theſe dues reſpected the officers, they were compenſated during one year and part of another, by an extra ration; as to the retained rations, the account for ſeveral years remains unſettled; there is a large balance due upon it, and a conſiderable ſum for that of forage.

The cloathing was another part of the ſoldiers hire. The arrearages on that ſcore, for the year 1777, were paid off in continental money, when the dollar was worth about four pence; the arrearages for the following years are unliquidated, and we apprehend ſcarcely thought of but by the army. Whenever there has been a real want of means, any defect in ſyſtem, or neglect in execution, in the departments of the army, we have invariably been the ſufferers, by hunger and nakedneſs, and by languiſhing in an hoſpital.

We beg leave to urge an immediate adjuſtment of all dues; that as great a part as poſſible be paid, and the remainder

remainder put on ſuch a footing as will reſtore cheerfulneſs to the army, revive confidence in the juſtice and generoſity of its conſtituents, and contribute to the very deſirable effect of re-eſtabliſhing public credit.

We are grieved to find that our brethren, who retired from ſervice on half-pay, under the reſolution of Congreſs in 1780, are not only deſtitute of any effectual proviſion, but are become the objects of obloquy. Their condition has a very diſcouraging aſpect on us, who muſt ſooner or later retire, and from every conſideration of juſtice, gratitude and policy, demands attention and redreſs.

We regard the act of Congreſs reſpecting half-pay, as an honourable and juſt recompence for ſeveral years hard ſervice, in which the health and fortunes of the officers have been worn down and exhauſted. We ſee with chagrin the odious point of view in which the citizens of too many of the ſtates endeavour to place the men entitled to it. We hope, for the honour of human nature, that there are none ſo hardened in the ſin of ingratitude, as to deny the juſtice of the reward. We have reaſon to believe that the objection generally is againſt the mode only. To prevent therefore, any altercations and diſtinctions which may tend to injure that harmony which we ardently deſire may reign throughout the community, we are willing to commute the half-pay pledged, for full pay for a certain number of years, or for a ſum in groſs, as ſhall be agreed to by the committee ſent with this addreſs. And in this we pray, that the diſabled officers and ſoldiers, with the widows and orphans of thoſe who have expended or may expend their lives in the ſervice of their country, may be fully comprehended. We alſo beg, that ſome mode may be pointed out for the eventual payment of thoſe ſoldiers who are the ſubjects of the reſolution of Congreſs of the 15th May, 1778.

To the repreſentation now made, the army have not a doubt that Congreſs will pay all that attention which the ſerious nature of it requires. It would be criminal in the officers to conceal the general diſſatisfaction which prevails, and is gaining ground in the army, from the preſſure of evils and injuries, which, in the courſe of ſeven long years, have made their condition in many inſtances wretched. They therefore entreat, that Congreſs, to convince the army and the world that the independence

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of America ſhall not be placed on the ruin of any particular claſs of her citizens, will point out a mode for immediate redreſs.

H. KNOX, M. General,
JOHN PATTERSON, B. General,
J. GREATON, Colonel,
JOHN CRANE, Colonel,
H. MAXWELL, Lieut. Colonel,
} on part of the Maſſachuſetts line.

J. HUNTINGTON, B. General,
H. SWIFT, Colonel,
SAMUEL B. WEBB, Colonel,
EBEN. HUNTINGTON, Lt. Col.
} on part of the Connecticut line.

P. CORTLANDT, Colonel, } on part of the New-York line.

JOHN N. CUMMINGS, Lt. Col. } on part of the New-Jerſey line.

WILLIAM SCOTT, Major, } on part of the New-Hampſhire line.

W. EUSTIS, Hoſpital Surgeon, } on part of the general hoſpital.

MOSES HAZEN, Brigadier General.

Cantonments Hudſon's River, December, 1782.

PAPER No. VIII.

A letter of the 12th, and one of the 18th March laſt, from the Commander in Chief, with the papers accompanying them, relative to the proceedings of the army in conſequence of certain anonimous papers.

"SIR,

"IT is with inexpreſſible concern I make the following report to your excellency:—Two days ago anonimous papers were circulated in the army, requeſting a general meeting of the officers on the next day. A copy of one of theſe papers is encloſed, No. 1.

"About

"About the ſame time another anonimous paper, purporting to be an addreſs to the officers of the army, was handed about in a clandeſtine manner—A copy of this is marked No. 2.

"To prevent any precipitate and dangerous reſolutions from being taken at this perilous moment, while the paſſions were all enflamed; as ſoon as theſe things came to my knowledge, the next morning, I iſſued the encloſed order, No. 3. And in this ſituation the matter now reſts.

"Since writing the foregoing, another anonimous paper has been put in circulation, a copy of which is encloſed, No. 4.

(No. 1.)

A Meeting of the general and field officers is requeſted at the public building, on Tueſday next, at 11 o'clock. A commiſſioned officer from each company is expected, and a delegate from the medical ſtaff. The object of this convention, is to conſider the late letter from our repreſentatives in Philadelphia, and what meaſures (if any) ſhould be adopted, to obtain that redreſs of grievances which they ſeem to have ſolicited in vain.

(No. 2.)

To the Officers of the Army.

Gentlemen,

A fellow ſoldier, whoſe intereſt and affections bind him ſtrongly to you, whoſe paſt ſufferings have been as great, and whoſe future fortune may be as deſperate as yours—would beg leave to addreſs you.

Age has its claims, and rank is not without its pretenſions to adviſe: but, though unſupported by both, he flatters himſelf, that the plain language of ſincerity and experience will neither be unheard nor unregarded.

Like many of you, he loved private life, and left it with regret. He left it, determined to retire from the field, with the neceſſity that called him to it, and not till then—Not till the enemies of his country, the ſlaves of power, and the hirelings of injuſtice, were compelled to abandon their ſchemes, and acknowledge America as terrible in arms as ſhe had been humble in remonſtrance. With this object in view, he has long ſhared in your toils and mingled in your dangers.—He has felt the cold hand

of

of poverty without a murmur, and has ſeen the inſolence of wealth without a ſigh.—But, too much under the direction of his wiſhes, and ſometimes weak enough to miſtake deſire for opinion, he has till lately—very lately believed in the juſtice of his country. He hoped, that as the clouds of adverſity ſcattered, and as the ſunſhine of peace and better fortune broke in upon us, the coldneſs and ſeverity of government would relax, and that, more than juſtice, that gratitude would blaze forth upon thoſe hands, which had upheld her, in the darkeſt ſtages of her paſſage, from impending ſervitude to acknowledged independence. But faith has its limits as well as temper, and there are points beyond which, neither can be ſtretched, without ſinking into cowardice or plunging into credulity.—This, my friends, I conceive to be your ſituation.—Hurried to the very verge of both, another ſtep would ruin you forever.—To be tame and unprovoked when injuries preſs hard upon you, is more than weakneſs; but to look up for kinder uſage, without one manly effort of your own, would fix your character, and ſhew the world how richly you deſerve thoſe chains you broke. To guard againſt this evil, let us take a review of the ground upon which we now ſtand, and from thence carry our thoughts forward for a moment, into the unexplored field of expedient.

After a purſuit of ſeven long years, the object for which we ſet out is at length brought within our reach.—Yes, my friends, that ſuffering courage of yours was active once—it has conducted the United States of America through a doubtful and a bloody war. It has placed her in the chair of independency, and peace returns again to bleſs—whom?—A country willing to redreſs your wrongs, cheriſh your worth and reward your ſervices, a country courting your return to private life, with tears of gratitude and ſmiles of admiration, longing to divide with you that independency which your gallantry has given, and thoſe riches which your wounds have preſerved? Is this the caſe? Or is it rather, a country that tramples upon your rights, diſdains your cries and inſults your diſtreſſes? Have you not, more than once ſuggeſted your wiſhes, and made known your wants to Congreſs? Wants and wiſhes which gratitude and policy ſhould have anticipated, rather than evaded. And have you not lately, in the meek language of entreating memorials, begged

ged from their juſtice, what you would no longer expect from their favour? How have you been anſwered? Let the letter which you are called to conſider to-morrow make reply.

If this, then, be your treatment, while the ſwords you wear are neceſſary for the defence of America, what have you to expect from peace, when your voice ſhall ſink, and your ſtrength diſſipate by diviſion? When thoſe very ſwords, the inſtruments and companions of your glory, ſhall be taken from your ſides, and no remaining mark of military diſtinction left but your wants, infirmities and ſcars? Can you then conſent to be the only ſufferers by this revolution, and retiring from the field, grow old in poverty, wretchedneſs and contempt? Can you conſent to wade through the vile mire of dependency, and owe the miſerable remnant of that life to charity, which has hitherto been ſpent in honour!—If you can—go—and carry with you, the jeſt of tories and the ſcorn of whigs—the ridicule, and what is worſe, the pity of the world. Go, ſtarve, and be forgotten! But if your ſpirit ſhould revolt at this; if you have ſenſe enough to diſcover, and ſpirit enough to oppoſe tyranny under whatever garb it may aſſume; whether it be the plain coat of republicaniſm, or the ſplendid robe of royalty, if you have yet learned to diſcriminate between a people and a cauſe, between men and principles—awake; attend to your ſituation and redreſs yourſelves. If the preſent moment be loſt, every future effort is in vain; and your threats then, will be as empty as your intreaties now.

I would adviſe you, therefore, to come to ſome final opinion upon what you can bear, and what you will ſuffer. If your determination be in any proportion to your wrongs carry your appeal from the juſtice to the fears of government. Change the milk and water ſtyle of your laſt memorial; aſſume a bolder tone—decent, but lively, ſpirited and determined, and ſuſpect the man who would adviſe to more moderation and longer forbearance. Let two or three men who can feel as well as write, be appointed to draw up your laſt remonſtrance; for I would no longer give it the ſueing, ſoft unſucceſsful epithet of memorial. Let it be repreſented in language that will neither diſhonour you by its rudeneſs, nor betray you by its fears, what has been promiſed by Congreſs, and what has been performed

formed—how long and how patiently you have ſuffered—how little you have aſked, and how much of that little has been denied. Tell them that, though you were the firſt, and would wiſh to be the laſt to encounter danger: though deſpair itſelf can never drive you into diſhonour, it may drive you from the field: that the wound often irritated, and never healed, may at length become incurable; and that the ſlighteſt mark of indignity from Congreſs now, muſt operate like the grave, and part you for ever: that in any political event, the army has its alternative. If peace, that nothing ſhall ſeparate you from your arms but death: if war, that courting the auſpices, and inviting the direction of your illuſtrious leader, you will retire to ſome unſettled country, ſmile in your turn, and "mock when their fear cometh on." But let it repreſent alſo, that ſhould they comply with the requeſt of your late memorial, it would make you more happy and them more reſpectable. That while war ſhould continue, you would follow their ſtandard into the field, and when it came to an end, you would withdraw into the ſhade of private life, and give the world another ſubject of wonder and applauſe; an army victorious over its enemies—victorious over itſelf.

(No. 3.)

GENERAL ORDERS.

Head Quarters, Newburgh, Tueſday, March 11, 1783.

The commander in chief, having heard that a general meeting of the officers of the army was propoſed to be held this day at the new building, in an anonimous paper which was circulated yeſterday by ſome unknown perſon, conceives, although he is fully perſuaded that the good ſenſe of the officers would induce them to pay very little attention to ſuch an irregular invitation, his duty, as well as the reputation and true intereſt of the army, requires his diſapprobation of ſuch diſorderly proceedings. At the ſame time he requeſts the general and field officers, with one officer from each company, and a proper repreſentation from the ſtaff of the army, will aſſemble at twelve o'clock on Saturday next, at the new building, to hear the report of the committee of the army to Congreſs. After mature deliberation, they will deviſe what further meaſures ought to be adopted as moſt rational and beſt calculated

calculated to attain the juſt and important object in view. The ſenior officer in rank, preſent, will be pleaſed to preſide and report the reſult of the deliberations to the commander in chief.

(No. 4)

To the Officers of the Army.

Gentlemen,

THE author of a late addreſs, anxious to deſerve, though he ſhould fail to engage your eſteem; and determined at every riſque to unfold your duty, and diſchare his own, would beg leave to ſolicit the further indulgence of a few moments attention. Aware of the coyneſs with which his laſt letter would be received, he feels himſelf neither diſappointed nor diſpleaſed with the caution it has met. Ye well knew that it ſpoke a language which, till now, had been heard only in whiſpers, and that it contained ſome ſentiments which confidence itſelf would have breathed with diſtruſt. But their lives have been ſhort, and their obſervations imperfect indeed, who have yet to learn that alarms may be falſe; that the beſt deſigns are ſometimes obliged to aſſume the worſt aſpect; and that, however ſynonimous ſurprize and diſaſter may be in military phraſe, in moral and political meaning, they convey ideas as different as they are diſtinct.

Suſpicion, deteſtable as it is in private life, is the loveliеſt trait of political characters. It prompts you to enquiry, bars the door againſt deſign, and opens every avenue to truth. It was the firſt to oppoſe a tyrant here, and ſtill ſtands centinel over the liberties of America. With this belief it would illy become me to ſtifle the voice of this honeſt guardian; a guardian, who, authoriſed by circumſtances digeſted into proof, has herſelf given birth to the addreſs you have read, and now goes forth among you with a requeſt to all, that it may be treated fairly; that it may be conſidered before it be abuſed, and condemned before it be tortured; convinced that, in a ſearch after error, truth will appear, that apathy itſelf will grow warm in the purſuit, and though it will be the laſt to adopt her advice, it will be the firſt to act upon it.

The general orders of yeſterday, which the weak may miſtake for diſapprobation, and the deſigning dare to re-

preſent as ſuch. wears, in my opinion, a very different complexion, and carries with it a very oppoſite tendency. Till now the commander in chief has regarded the ſteps you have taken for redreſs with good wiſhes alone. His oſtenſible ſilence has authoriſed your meetings, and his private opinion has ſanctified your claims. Had he diſliked the object in view, would not the ſame ſenſe of duty which forbade you from meeting on the third day of the week, have forbidden you from meeting on the ſeventh? Is not the ſame ſubject held up for your diſcuſſion? and has it not paſſed the ſeal of office, and taken all the ſolemnity of an order? This will give ſyſtem to your proceedings, and ſtability to your reſolves. It will ripen ſpeculation into fact, and while it adds to the unanimity, it cannot poſſibly leſſen the independency of your ſentiments. It may be neceſſary to add upon this ſubject, that, from the injunction with which the general orders cloſe, every man is at liberty to conclude that the report to be made to head quarters is intended for Congreſs. Hence will ariſe another motive for that energy which has been recommended: for, can you give the lie to the pathetic deſcriptions of your repreſentations, and the more alarming predictions of our friends? To ſuch as make a want of ſignature an objection to opinion, I reply, that it matters very little who is the author of ſentiments which grow out of your feelings, and apply to your wants; that in this inſtance, diffidence ſuggeſted, what experience enjoins; and that while I continue to move on the high road of argument and advice, which is open to all, I ſhall continue to be the ſole confident of my own ſecret. But, ſhould the time come, when it ſhall be neceſſary to depart from this general line, and hold up any individual among you as an object of the reſentment or contempt of the reſt, I thus publickly pledge my honour as a ſoldier, and veracity as a man, that I will then aſſume a viſible exiſtence, and give my name to the army, with as little reſerve as I now give my opinions.

Head Quarters, Newburgh, March 18, 1783.

SIR,

I THE reſult of the proceedings of the grand convention of the officers, which I have the honour of enclofing to your excellency for the inſpection of Congreſs, will,

I flatter

I flatter myſelf, be conſidered as the laſt glorious proof of patriotiſm which could have been given by men who aſpired to the diſtinction of a patriot army; and will not only confirm their claim to the juſtice, but will encreaſe their title to the gratitude of their country.

Having ſeen the proceedings on the part of the army terminate with perfect unanimity, and in a manner entirely conſonant to my wiſhes; being impreſſed with the livelieſt ſentiments of affection for thoſe who have ſo long, ſo patiently and ſo chearfully ſuffered and fought under my immediate direction; having from motives of juſtice, duty and gratitude, ſpontaneouſly offered myſelf as an advocate for their rights; and having been requeſted to write to your excellency, earneſtly entreating the moſt ſpeedy deciſion of Congreſs upon the ſubjects of the late addreſs from the army to that honourable body; it now only remains for me to perform the taſk I have aſſumed, and to intercede in their behalf, as I now do, that the ſovereign power will be pleaſed to verify the predictions I have pronounced of, and the confidence the army have repoſed in the juſtice of their country.

And here I humbly conceive it is altogether unneceſſary (while I am pleading the cauſe of an army which have done and ſuffered more than any other army ever did in the defence of the rights and liberties of human nature) to expatiate on their claims to the moſt ample compenſation for their meritorious ſervices, becauſe they are perfectly known to the whole world, and becauſe, (although the topics are inexhauſtible) enough has already been ſaid on the ſubject. To prove theſe aſſertions, to evince that my ſentiments have ever been uniform, and to ſhew what my ideas of the rewards in queſtion have always been, I appeal to the archives of Congreſs, and call on thoſe ſacred depoſits to witneſs for me. And in order that my obſervations and arguments in favour of a future adequate proviſion for the officers of the army may be brought to rememberance again, and conſidered in a ſingle point of view without giving Congreſs the trouble of having recourſe to their files, I will beg leave to tranſmit herewith an extract from a repreſentation made by me to a committee of Congreſs, ſo long ago as the 29th of January, 1778, and alſo the tranſcript of a letter to

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the preſident of Congreſs, dated near Paſaic Falls, October 11, 1780.*

That in the critical and perilous moment when the laſt mentioned communication was made, there was the utmoſt danger a diſſolution of the army would have taken place, unleſs meaſures ſimilar to thoſe recommended had been

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* *Extract from a Repreſentation made by the Commander in Chief to a Committee of Congreſs at the Army, 29th January, 1778.*

Gentlemen,

"THE numerous defects in our preſent military eſtabliſhment, rendering many reformations and many new arrangements obſolutely neceſſary, and Congreſs having been pleaſed to appoint you a committee, in concert with me, to make and recommend ſuch as ſhall appear eligible, in purſuance of the various objects expreſſed in their reſolution for that purpoſe;—I have in the following ſheets briefly delivered my ſentiments upon ſuch of them as ſeemed to me moſt eſſential, ſo far as obſervation has ſuggeſted and leiſure permitted. Theſe are ſubmitted to conſideration, and I ſhall be happy if they are found conducive to remedying the evils and inconveniencies we are now ſubject to, and putting the army upon a more reſpectable footing. Something muſt be done; important alterations muſt be made; neceſſity requires that our reſources ſhould be enlarged and our ſyſtem improved; for without it, if the diſſolution of the army ſhould not be the conſequence, at leaſt, its operations muſt infallibly be feeble, languid and ineffectual.

"As I conſider a proper and ſatisfactory proviſion for officers, in a manner as the baſis of every other regulation and arrangement neceſſary to be made; ſince without officers no army can exiſt, and unleſs ſome meaſures be deviſed to place thoſe of ours in a more deſirable ſituation, few of them would be able, if willing to continue in it.—I ſhall begin with a few reflections tending to prove the neceſſity *of a Half Pay and Penſionary Eſtabliſhment.*

"A ſmall knowledge of human nature will convince us that, with far the greateſt part of mankind, intereſt is the governing principle, and that almoſt every man is more

been adopted, will not admit a doubt. That the adoption of the reſolution granting half pay for life has been attended with all the happy conſequences I had foretold, ſo far as reſpected the good of the ſervice, let the aſtoniſhing contraſt between the ſtate of the army at this inſtant, and at the former period, determine. And that the

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more or leſs under its influence. Motives of public virtue may for a time, or in particular inſtances, actuate men to the obſervance of a conduct purely diſintereſted, but they are not of themſelves ſufficient to produce a perſevering conformity to the refined dictates and obligations of ſocial duty; few men are capable of making a continual ſacrifice of all views of private intereſt or advantage, to the common good: it is in vain to exclaim againſt the depravity of human nature on this account—the fact is ſo, the experience of every age and nation has proved it, and we muſt in a great meaſure change the conſtitution of man, before we can make it otherwiſe; no inſtitution not built on the preſumptive truths of theſe maxims, can ſucceed.

We find them exemplified in the American officers, as well as in all other men. At the commencement of the diſpute; in the firſt effuſions of their zeal, and looking upon the ſervice to be only temporary, they entered into it without paying any regard to pecuniary or ſelfiſh conſiderations; but finding its duration to be much longer than they at firſt ſuſpected, and that, inſtead of deriving any advantage from the hardſhips and dangers to which they were expoſed, they, on the contrary, were loſers by their patriotiſm, and fell far ſhort even of a competency to ſupply their wants; they have gradually abated in their ardor; and with many an entire diſinclination to the ſervice, under its preſent circumſtances, has taken place. To this, in an eminent degree, muſt be aſcribed the frequent reſignations daily happening, and the more frequent importunities for permiſſion to reſign, and from ſome officers of the greateſt merit; to this alſo may be aſcribed the apathy, inattention and neglect of duty, which pervade all ranks, and which will neceſſarily continue and increaſe, while an officer, inſtead of gaining any thing is impoveriſhed by his commiſſion, and conceives he is

conferring

the eſtabliſhment of funds, and ſecurity of the payment of all the juſt demands of the army, will be the moſt certain means of preſerving the national faith and future tranquility of this extenſive continent, is my decided opinion.

By the preceding remarks it will readily be imagined, that inſtead of retracting and reprehending (from farther experience

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conferring, not receiving a favour in holding it. There can be no ſufficient tie upon men poſſeſſing ſuch ſentiments; nor can any method be adopted to oblige thoſe to a punctual diſcharge of duty, who are indifferent about their continuance in the ſervice, and are often ſeeking a pretext to diſengage themſelves from it. Puniſhment, in this caſe, will be unavailing; but when an officer's commiſſion is made valuable to him, and he fears to loſe it, you may then exact obedience from him.

"It is not indeed conſiſtent with reaſon or juſtice, to expect that one ſet of men ſhould make a ſacrifice of property, domeſtic eaſe and happineſs, encounter the rigors of the field, the perils and viciſſitudes of war, to obtain thoſe bleſſings which every citizen will enjoy in common with them, without ſome adequate compenſation. It muſt alſo be a comfortleſs reflection to any man, that after he may have contributed to ſecuring the rights of his country, at the riſque of his life and the ruin of his fortune, there would be no proviſion made to prevent himſelf and family from ſinking into indigence and wretchedneſs. Beſides adopting ſome methods to make the proviſion for officers equal to their preſent exigences, a due regard ſhould be paid to futurity. Nothing, in my opinion, would ſerve more powerfully to reanimate their languiſhing zeal, and intereſt them thoroughly in the ſervice, than a half-pay and penſionary eſtabliſhment. This would not only diſpell the apprehenſion of perſonal diſtreſs at the termination of the war, from having thrown themſelves out of profeſſions and employments they might not have it in their power to reſume, but would in a great degree relieve the painful anticipation of leaving their widows and orphans a burthen on the charity of their country, ſhould it be their lot to fall in its defence.

"I am earneſt in recommending this meaſure, becauſe I know it is the general wiſh and expectation, and that many

experience and reflection) the mode of compenſation ſo ſtrenuouſly urged in the encloſures, I am more and more confirmed in the ſentiment, and if in the wrong, ſuffer me to pleaſe myſelf with the grateful deluſion.

For if, beſides the ſimple payment of their wages, a further compenſation is not due to the ſufferings and ſacrifices of the officers, then have I been miſtaken indeed. If the whole army have not merited whatever a grateful people

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many officers, whom, upon every principle we ſhould wiſh to retain in the ſervice, are only waiting to ſee whether ſomething of the kind will, or will not take place, to be determined in their reſolution, either of ſtaying in or quitting it immediately; and I urge my ſentiments with the greater freedom, becauſe I cannot, and ſhall not receive the ſmalleſt benefit from the eſtabliſhment, and can have no other inducement for propoſing it, than a full conviction of its utility and propriety.

"I am ſenſible, the expence will be a capital objection to it, but to this I oppoſe the neceſſity—the officers are now diſcontented with their ſituation; if ſome generous expedient is not embraced to remove their diſcontent, ſo extenſive a deſertion from the ſervice will enſue, and ſo much diſcouragement be caſt upon thoſe who remain, as muſt wound it in a very eſſential manner. Every thing that has this effect, has a tendency at leaſt, to protract the war, and though dictated by a well intended frugality, will, I fear, in the end prove erroneous œconomy."

Extract of a Letter from General Waſhington to Congreſs, dated Paſſaick Falls, 11th October, 1780.

"THAT there are the moſt concluſive reaſons for reducing the number of regiments, no perſon acquainted with the ſituation of our affairs, and the ſtate of the army, will deny. A want of officers, independent of other conſiderations, were ſufficient to compel us; but that the temper of the army, produced by its ſufferings, requires great caution in any reforms that are attempted, is a poſition not leſs evident than the former. In ſervices the beſt eſtabliſhed, where the hands of government are ſtrengthened by the ſtrongeſt intereſts of the army to

ſubmiſſion

people can beſtow, then have I been beguiled by prejudice, and built opinion on the baſis of error. If this country ſhould not in the event perform every thing which has been requeſted in the late memorial to Congreſs, then will my belief become vain, and the hope that has been excited void of foundation. And if, (as has been ſuggeſted for the purpoſe of inflaming their paſſions) the officers

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ſubmiſſion, the reducing of its regiments, and diſmiſſing a great part of its officers is always a meaſure of difficulty and delicacy. In ours, where the officers are held by the feebleſt ties, and are mouldering away by daily reſignations, it is peculiarly ſo. The laſt reduction occaſioned many to quit the ſervice beſides thoſe who were reformed, and left durable ſeeds of diſcontent among thoſe who remained. The general topic of declamation was, that it was as hard as diſhonourable for men, who had made every ſacrifice to the ſervice to be turned out of it at the pleaſure of thoſe in power, without an adequate compenſation. In the maturity to which their uneaſineſſes have now ariſen, from a continuance in miſery they will be ſtill more impatient under an attempt of a ſimiliar nature. How far theſe diſpoſitions may be reaſonable, I pretend not to decide, but in the extremity to which we are arrived, policy forbids us to add new irritations; too many of the officers wiſh to get rid of their commiſſions, but they are unwilling to be forced into it.

It is not the intention of theſe remarks to diſcourage a reform, but to ſhew the neceſſity of guarding againſt the ill effects by an ample proviſion, both for the officers who ſtay, and for thoſe who are reduced. This ſhould be the baſis of the plan, and without it I apprehend the moſt miſchievous conſequences, this would obviate many ſcruples that will otherwiſe be found prejudicial in the extreme. I am convinced Congreſs are not a little ſtraitned in the means of a preſent proviſion, ſo ample as to give ſatisfaction, but this proves the expediency of a future one, and brings me to that which I have ſo frequently recommended as the moſt œconomical, the moſt politic and the moſt effectual that could be deviſed, a half-pay for life: ſupported by a proſpect of a permanent dependence, the officers would be tied to the ſervice, and would

ſubmit

ſicers of the army "are to be the only ſufferers by this revolution; if retiring from the field they are to grow old in poverty, wretchedneſs and contempt: if they are to wade through the vile mire of dependency, and owe the miſerable remnent of that life to charity, which has hitherto been ſpent in honour," then ſhall I have learned what ingratitude is, then ſhall I have realized a tale which will embitter every moment of my future life.

But

ſubmit to many momentary privations, and to the inconveniencies which the ſituation of public affairs makes unavoidable. This is exemplified in the Pennſylvania officers, who, being upon this eſtabliſhment, are ſo much intereſted in the ſervice, that in the courſe of months there has been only one reſignation in that line.

"If the objection drawn from the principle of this meaſure, being incompatible with the genius of our government, is thought unſurmountable, I would propoſe a ſubſtitute leſs eligible, in my opinion, but which may anſwer the purpoſe—It is, to make the preſent half-pay for ſeven years whole pay for the ſame period, to be advanced in two different payments; one half in a year after the concluſion of peace, the other half in two years ſubſequent to the firſt.

"No objection to this meaſure occurs to me, except it be thought too great an expence; but in my judgment, whatever can give conſiſtency to our military eſtabliſhment, will be ultimately favourable to œconomy. It is not eaſy to be conceived, except by thoſe who are witneſſes to it, what an additional waſte and conſumption of every thing, and conſequently what an encreaſe of expence, reſults from the laxneſs of diſcipline in the army; and where the officers think they are doing the public a favour by holding their commiſſions, and the men are continually fluctuating, it is impoſſible to maintain diſcipline. Nothing can to me be more obvious than that a ſound military eſtabliſhment and the intereſts of œconomy are the ſame: how much more the purpoſes of the war will be promoted by it in other reſpects, will not admit of an argument.

In reaſoning upon the meaſure of a future proviſion, I have heard gentlemen object the want of it in ſome foreign armies,

But I am under no ſuch apprehenſions: a country reſcued by their arms from impending ruin, will never leave unpaid the debt of gratitude.

Should any intemperate or improper warmth have mingled itſelf among the foregoing obſervations, I muſt entreat your excellency and Congreſs, it may be attributed to the effuſion of an honeſt zeal in the beſt of cauſes, and that my peculiar ſituation may be my apology; and I hope

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armies, without adverting to the difference of circumſtances. The military ſtate holds the firſt rank in moſt of the countries of Europe, and is the road to honour and emolument. The eſtabliſhment is permanent, and whatever be an officer's proviſion, it is for life, and he has a profeſſion for life; he has future as well as preſent motives of military honour and preferment; he is attached to the ſervice by the ſpirit of the government, by education, and in moſt caſes by early habit; his preſent condition, if not ſplendid, is comfortable; penſions, diſtinctions and particular privileges, are commonly his rewards in retirement. In the caſe of the American officers, military character has been ſuddenly taken up, and is to end with the war.

Congreſs will herewith receive a liſt of the officers in the New-Hampſhire, Maſſachuſetts, Connecticut, New-York, New-Jerſey, Pennſylvania and Maryland lines, previous to its marching to the ſouthward; alſo in Crane's and Lamb's artillery, Sheldon's horſe; and in Hazen's, Sherburn's, Spencers and Livingſton's regiments, who have actually had their reſignations entered at headquarters in the courſe of this year; and who, in general, urged their neceſſities when they applied on the ſubject, and inſiſted, notwithſtanding every perſuaſion to induce their continuance, that their circumſtances would not admit of their remaining in ſervice longer. Beſides thoſe reſignations, there are a great many of which I have no certain account, as the officers being permitted to go home on furlough in the courſe of the laſt winter, have never rejoined the army, and have only ſent meſſages, or written to their regimental officers, that their own diſtreſſes and thoſe of their families, would not permit their return. As to the reſignations which have taken place

hope I need not on this momentous occaſion make any new proteſtations of diſintereſtedneſs, having ever renounced for myſelf the idea of pecuniary reward. The conſciouſneſs of having attempted faithfully to diſcharge my duty, and the approbation of my country, will be a ſufficient recompence for my ſervices.

I have the honour to be, &c. &c.

GEORGE WASHINGTON.

His Excellency the
Preſident of Congreſs.

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place in the Virginia line and the other troops at the ſouthward, ſince they were acting in that quarter, I have no account of them, but I make no doubt that many have happened. All theſe ſerve to ſhew the neceſſity of ſome more competent eſtabliſhment than the preſent one; and I hold it my duty to mention, from the accounts I daily receive, unleſs this is the caſe, that I have ſtrong reaſons to believe we ſhall not be able to retain, after the end of the campaign, as many officers, eſpecially in ſome lines, as will be even ſufficient for the common duties when in quarters. If matters fortunately ſhould not proceed to the lengths my fears forebode, yet Congreſs will be ſenſible at the firſt view, of the injuries and great inconveniencies which muſt attend ſuch a continual change of officers and conſequent promotions, which are and will be inexitable.

"After having exhibited this view of the preſent ſtate of the army, it is almoſt needleſs to add that, excepting in the rank of field officers, and a very few captains, we ſhall have new officers to provide, rather than old ones to diſband at the reduction of regiments; and how they are to be had I know not, no diſpoſition having been diſcovered of late to enter the ſervice. Congreſs have little to apprehend on account of the expence of ſupernumerary officers when this event takes place."

(No. 5.)

(No. 5.)

Cantonment, 15th March, 1783.

The officers of the army being convened agreeably to a general order of the 11th inſtant, the honourable major general Gates, preſident, his excellency the commander in chief was pleaſed to addreſs the meeting as follows:

Gentlemen,

BY an anonimous ſummons, an attempt has been made to convene you together. How inconſiſtent with the rules of propriety, how unmilitary and how ſubverſive of all order and diſcipline, let the good ſenſe of the army decide.

In the moment of this ſummons, another anonimous production was ſent into circulation, addreſſed more to the feelings and paſſions than to the reaſon and judgment of the army. The author of the piece is entitled to much credit for the goodneſs of his pen; and I could wiſh he had as much credit for the rectitude of his heart; for, as men ſee through different optics, and are induced by the reflecting faculties of the mind, to uſe different means to attain the ſame end, the author of the addreſs ſhould have had more charity than to mark for ſuſpicion the man who ſhould recommend moderation and longer forbearance, or in other words, who ſhould not think as he thinks, and act as he adviſes. But he had another plan in view, in which candor and liberality of ſentiment, regard to juſtice and love of country, have no part: and he was right to inſinuate the darkeſt ſuſpicion to effect the blackeſt deſign. That the addreſs is drawn with great art, and is deſigned to anſwer the moſt inſidious purpoſes; that it is calculated to impreſs the mind with an idea of premeditated injuſtice in the ſovereign power of the United States, and rouſe all thoſe reſentments which muſt unavoidably flow from ſuch a belief; that the ſecret mover of this ſcheme, whoever he may be, intended to take advantage of the paſſions, while they were warmed by the recollection of paſt diſtreſſes, without giving time for cool, deliberative thinking, and that compoſure of mind which is ſo neceſſary to give dignity and ſtability to meaſures, is rendered too obvious, by the mode of conducting the buſineſs, to need other proof than a reference to the proceeding. Thus

Thus much, gentlemen, I have thought it incumbent on me to obſerve to you, to ſhew upon what principles I oppoſed the irregular and haſty meeting which was propoſed to have been held on Tueſday laſt, and not becauſe I wanted a diſpoſition to give you every opportunity, conſiſtent with your own honour, and the dignity of the army, to make known your grievances. If my conduct heretofore has not evinced to you, that I have been a faithful friend to the army, my declaration of it at this time would be equally unavailing and improper. But as I was among the firſt who embarked in the cauſe of our common country; as I have never left your ſide one moment, but when called from you on public duty; as I have been the conſtant companion and witneſs of your diſtreſſes, and not among the laſt to feel and acknowledge your merits; as I have ever conſidered my own military reputation as inſeparably connected with that of the army; as my heart has ever expanded with joy when I have heard its praiſes, and my indignation has ariſen when the mouth of detraction has been opened againſt it, it can ſcarcely be ſuppoſed at this laſt ſtage of the war, that I am indifferent to its intereſts. But how are they to be promoted? The way is plain, ſays the anonimous addreſſer. "If war continues, remove into the unſettled country; there eſtabliſh yourſelves and leave an ungrateful country to defend itſelf."—But who are they to defend? Our wives, our children, our farms and other property which we leave behind us? or, in this ſtate of hoſtile ſeparation, are we to take the two firſt, (the latter cannot be removed) to periſh in a wilderneſs with hunger, cold and nakedneſs? "If peace takes place, never ſheath your ſwords," ſays he, "until you have obtained full and ample juſtice." This dreadful alternative of either deſerting our country in the extremeſt hour of her diſtreſs, or turning our arms againſt it, which is the apparent object, unleſs Congreſs can be compelled into inſtant compliance, has ſomething ſo ſhocking in it, that humanity revolts at the idea. My God! what can this writer have in view, by recommending ſuch meaſures? Can he be a friend to the army? Can he be a friend to this country? Rather is he not an inſidious foe? Some emiſſary, perhaps, from New-York, plotting the ruin of both, by ſowing the ſeeds of diſcord and ſeparation between the civil and military powers of the continent? and what a compliment does he pay to

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our underſtandings, when he recommends meaſures, in either alternative, impracticable in their nature? But, here, gentlemen, I will drop the curtain, becauſe it would be as imprudent in me to aſſign my reaſons for this opinion, as it would be inſulting to your conception to ſuppoſe you ſtood in need of them. A moment's reflection will convince every diſpaſſionate mind of the phyſical impoſſibility of carrying either propoſal into execution. There might, gentlemen, be an impropriety in my taking notice, in this addreſs to you, of an anonimous production;—but the manner in which that performance has been introduced to the army, the effect it was intended to have, together with ſome other circumſtances, will amply juſtify my obſervation on the tendency of that writing.

With reſpect to the advice given by the author, to ſuſpect the man who ſhall recommend moderate meaſures and longer forbearance, I ſpurn it, as every man who regards that liberty and reveres that juſtice for which we contend, undoubtedly muſt; for, if men are to be precluded from offering their ſentiments on a matter which may involve the moſt ſerious and alarming conſequences that can invite the conſideration of mankind; reaſon is of no uſe to us. The freedom of ſpeech may be taken away, and dumb and ſilent we may be led, like ſheep to the ſlaughter. I cannot in juſtice to my own belief, and what I have great reaſon to conceive is the intention of Congreſs, conclude this addreſs, without giving it as my decided opinion, that, that honorable body entertain exalted ſentiments of the ſervices of the army, and from a full conviction of its merits and ſufferings, will do it complete juſtice: that their endeavours to diſcover and eſtabliſh funds for this purpoſe have been unwearied, and will not ceaſe till they have ſucceeded, I have not a doubt.

But like all other large bodies, where there is a variety of different intereſts to reconcile, their determinations are ſlow. Why then ſhould we diſtruſt them? And in conſequence of that diſtruſt, adopt meaſures which may caſt a ſhade over that glory which has been ſo juſtly acquired, and tarniſh the reputation of an army which is celebrated through all Europe for its fortitude and patriotiſm? And for what is this done? To bring the object we ſeek nearer? No, moſt certainly, in my opinion, it will caſt it at a greater diſtance. For myſelf, and I take

take no merit in giving the assurance, being induced to it from principles of gratitude, veracity and justice, a grateful sense of the confidence you have ever placed in me, a recollection of the cheerful assistance and prompt obedience I have experienced from you, under every vicissitude of fortune, and the sincere affection I feel for an army I have so long had the honour to command, will oblige me to declare in this public and solemn manner, that in the attainment of compleat justice for all your toils and dangers, and in the gratification of every wish, so far as may be done consistently with the great duty I owe my country, and those powers we are bound to respect, you may freely command my services to the utmost extent of my abilities.

While I give you these assurances, and pledge myself in the most unequivocal manner, to exert whatever ability I am possessed of in your favour, let me entreat you, gentlemen, on your part, not to take any measures, which, viewed in the calm light of reason, will lessen the dignity and fully the glory you have hitherto maintained.—Let me request you to rely on the plighted faith of your country, and place a full confidence in the purity of the intentions of Congress; that, previous to your dissolution as an army, they will cause all your accounts to be fairly liquidated, as directed in the resolutions which were published to you two days ago; and that they will adopt the most effectual measures in their power to render ample justice to you for your faithful and meritorious services. And let me conjure you in the name of our common country, as you value your own sacred honour, as you respect the rights of humanity, and as you regard the military and national character of America, to express your utmost horror and detestation of the man, who wishes, under any specious pretences, to overturn the liberties of our country; and who wickedly attempts to open the flood gates of civil discord, and deluge our rising empire in blood.

By thus determining, and thus acting, you will pursue the plain and direct road to the attainment of your wishes; you will defeat the insidious designs of our enemies, who are compelled to resort from open force to secret artifice. You will give one more distinguished proof of unexampled patriotism and patient virtue, rising superior to the pressure of the most complicated sufferings: and

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you will, by the dignity of your conduct, afford occaſion for poſterity to ſay, when ſpeaking of the glorious example you have exhibited to mankind—" had this day been wanting, the world had never ſeen the laſt ſtage of perfection to which human nature is capable of attaining."

His excellency having withdrawn, on motion by general Knox, ſeconded by general Putnam.

Reſolved, That the unanimous thanks of the officers of the army be preſented to his excellency the commander in chief, for his excellent addreſs, and the communication he has been pleaſed to make them; and that he be aſſured that the officers reciprocate his affectionate expreſſions, with the greateſt ſincerity of which the human heart is capable.

The addreſs from the army to Congreſs—the report of the committee from the army—and the reſolutions of Congreſs of 25th January, being read,

On a motion by general Putnam, ſeconded by general Hand.

Voted, That a committee be appointed immediately to draw up ſome reſolutions expreſſive of the buſineſs before us, and to report in half an hour; that this committee conſiſt of one general officer, one field officer, and one captain; and that general Knox, colonel Brooks and captain Howard, compoſe the ſaid committee.

The report of the committee being brought in, and fully conſidered,

Reſolved unanimouſly, That at the commencement of the preſent war, the officers of the American army engaged in the ſervice of their country from the pureſt love and attachment to the rights and liberties of human nature, which motives ſtill exiſt in the higheſt degree; and that no circumſtances of diſtreſs or danger ſhall induce a conduct that may tend to ſully the reputation and glory which they have acquired, at the price of their blood and eight years faithful ſervices.

Reſolved unanimouſly, That the army continue to have an unſhaken confidence in the juſtice of Congreſs and their country, and are fully convinced that the repreſentatives of America will not diſband or diſperſe the army until their accounts are liquidated, the balances accurately aſcertained, and adequate funds eſtabliſhed for payment, and in this arrangement the officers expect that

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the half-pay, or a commutation of it, ſhould be efficaciouſly comprehended.

Reſolved unanimouſly, That his excellency the commander in chief be requeſted to write to his excellency the preſident of Congreſs, earneſtly entreating the moſt ſpeedy deciſion of that honourable body, upon the ſubjects of our late addreſs, which was forwarded by a committee of the army, ſome of whom are waiting upon Congreſs for the reſult. In the alternative of peace or war, this event would be highly ſatisfactory, and would produce immediate tranquility in the minds of the army, and prevent any further machinations of deſigning men, to ſow diſcord between the civil and military powers of the United States.

On motion,

Reſolved unanimouſly, That the officers of the American army view with abhorrence and reject with diſdain, the infamous propoſitions contained in a late anonimous addreſs to the officers of the army, and reſent with indignation the ſecret attempts of ſome unknown perſons to colleſt the officers together, in a manner totally ſubverſive of all diſcipline and good order.

Reſolved unanimouſly, That the thanks of the officers of the army be given to the committee who preſented to Congreſs the late addreſs of the army, for the wiſdom and prudence with which they have conducted that buſineſs; and that a copy of the proceedings of this day be tranſmitted by the preſident to major general M'Dougall; and that he be requeſted to continue his ſolicitations at Congreſs, until the objects of his miſſion are accompliſhed.

The meeting was then diſſolved.

HORATIO GATES, Maj. Gen. Preſident.

MONDAY, APRIL 28, 1783.

The committee, conſiſting of Mr. Oſgood, Mr. Bland, Mr. Hamilton, Mr. Madiſon and Mr. Peters, appointed to confer with the ſuperintendant of finance reſpecting his continuance in office, report,

"That they have conferred with him accordingly; and that the ſubſtance of the conferrence was, on the part of Mr. Morris, as follows:

"That his continuance in office was highly injurious to his private affairs, and contrary to his private inclinations; but that he felt the importance of the exertions neceſſary to be made at the preſent juncture, towards the reduction of the army in a manner ſatisfactory to them and convenient to the public; that, therefore, if Congreſs ſhould think his ſervices, towards effecting that object, of importance, and ſhould deſire them, he would be ready to continue them till arrangements for that purpoſe could be made, and the engagements taken by him in conſequence, as well as thoſe already entered into, could be finally compleated; that in this caſe he ſhould hope for the ſupport of Congreſs:" whereupon,

Reſolved, That the ſuperintendant of finance be informed, that Congreſs are of opinion the public ſervice requires his continuance in office till arrangements for the reduction of the army can be made, and the engagements that ſhall be taken by him in conſequence, as well as thoſe already entered into, ſhall be finally compleated.

WEDNESDAY, APRIL 30, 1783.

A motion was made by Mr. Wilſon, ſeconded by Mr. Hamilton, as follows:

"Whereas it is of importance in every free country, that the conduct and ſentiments of thoſe to whom the direction of public affairs is committed, ſhould be publicly known; reſolved, that in future the doors of Congreſs ſhall be open, unleſs otherwiſe ordered by a vote or by the rules of the houſe."

A motion was made by Mr. Williamſon, ſeconded by Mr. White, to poſtpone the foregoing motion, in order to conſider the following:

"That as ſoon as Congreſs ſhall have fixed on ſome place where they may propoſe to continue their reſidence, and where they may have ſome kind of juriſdiction without being expoſed to the influence of any particular ſtate, it may be proper to determine whether the doors of Congreſs ſhall be open:"

And on the queſtion for poſtponing for the purpoſe abovementioned, the yeas and nays being required by Mr. Williamſon,

New-Hampſhire,

New-Hampſhire,	Mr. White	*ay*	*
Maſſachuſetts,	Mr. Holten	*no*	*no*
	Mr. Oſgood	*no*	
	Mr. Higgenſon	*no*	
Rhode-Iſland,	Mr. Collins	*ay*	*divided*
	Mr. Arnold	*no*	
Connecticut,	Mr. Elſworth	*no*	*divided*
	Mr. Dyer	*ay*	
New-York,	Mr. Hamilton	*no*	*
New-Jerſey,	Mr. Boudinot	*no*	*no*
	Mr. Clarke	*no*	
	Mr. Condict	*no*	
Pennſylvania,	Mr. Fitzſimmons	*no*	*no*
	Mr. Wilſon	*no*	
	Mr. Peters	*no*	
Maryland,	Mr. Carroll	*no*	*no*
	Mr. Hemſley	*no*	
Virginia,	Mr. Jones	*no*	*no*
	Mr. Bland	*no*	
	Mr. A. Lee	*no*	
	Mr. Mercer	*no*	
North-Carolina,	Mr. Hawkins	*ay*	*ay*
	Mr. Williamſon	*ay*	
South-Carolina,	Mr. Rutledge	*no*	*no*
	Mr. Izard	*no*	
	Mr. Gervais	*no*	

So it paſſed in the negative.

A motion was then made by Mr. Wilſon, ſeconded by Mr. Hamilton, to amend the original motion by ſtriking out the words "unleſs otherwiſe ordered by a vote, or by the rules of the houſe," and inſerting in lieu thereof, the words, "ſubject to ſuch rules as ſhall be hereafter determined for that purpoſe:"

And on the queſtion to agree to this amendment, the yeas and nays being required by Mr. Hamilton,

New-Hampſhire,	Mr. White	*no*	*
Maſſachuſetts,	Mr. Holten	*no*	*ay*
	Mr. Oſgood	*ay*	
	Mr. Higgenſon	*ay*	
Rhode-Iſland,	Mr. Collins	*no*	*no*
	Mr. Arnold	*no*	
Connecticut,	Mr. Elſworth	*no*	*no*
	Mr. Dyer	*no*	
New-York,	Mr. Hamilton	*ay*	*

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New-Jerſey,	Mr. Boudinot	ay	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Wilſon	ay	
	Mr. Peters	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. Hemſley	ay	
Virginia,	Mr. Bland	no	*
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Rutledge	no	no
	Mr. Izard	no	
	Mr. Gervais	no	

So it paſſed in the negative.

On the queſtion to agree to the main queſtion, the yeas and nays being required by Mr. Wilſon,

New-Hampſhire,	Mr. White	no	*
Maſſachuſetts,	Mr. Holten	no	no
	Mr. Oſgood	no	
	Mr. Gorham	ay	
	Mr. Higgenſon	no	
Rhode-Iſland,	Mr. Collins	no	no
	Mr. Arnold	no	
Connecticut,	Mr. Ellſworth	no	no
	Mr. Dyer	no	
New-York,	Mr. Hamilton	ay	*
New-Jerſey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Wilſon	ay	
Maryland,	Mr. Carroll	no	no
	Mr. Hemſley	no	
Virginia,	Mr. Bland	ay	divided
	Mr. Mercer	no	
North Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Rutledge	no	no
	Mr. Izard	no	
	Mr. Gervais	no	

So it paſſed in the negative.

On a report of a committee, conſiſting of Mr. Peters, Mr. Floyd and Mr. Elſworth, to whom was referred a letter of the 24th from colonel T. Tilghman: *Ordered*,

Ordered, That the letter of Mr. Tilghman be referred to the ſuperintendant of finance to take order thereon.

On the report of a committee, conſiſting of Mr. Williamſon, Mr. Dyer and Mr. Condict, to whom was referred a letter of the 22d from the ſuperintendant of finance, together with a memorial of J. D. Alvey:

Reſolved, That the comptroller be directed to ſettle the accounts of Mr. John Durham Alvey, for money he is engaged to pay to certain poſt riders whom he was authoriſed to hire at head-quarters; and that the poſt-maſter general be directed immediately to pay Mr. Alvey the balance due on thoſe accounts:

That the poſtmaſter general be alſo directed to pay to Mr. Alvey the balance due him for pay, as poſtmaſter at head-quarters, as ſoon as the revenue of the poſt-office will admit of ſuch diſburſements, with the intereſt of ſix per cent. from the time when this account ſhall be ſettled.

On the report of a committee, conſiſting of Mr Hemſley, Mr. Hawkins and Mr. Fitzſimmons, to whom was referred an account of John Sandford Dart:

Reſolved, That the comptroller be and he is hereby authoriſed and directed to adjuſt the account of John Sandford Dart up to the 23d of Auguſt laſt, as auditor to the ſouthern army, as he continued in ſervice till that period.

On a report from the ſuperintendant of finance, to whom was referred a letter of the 17th from Darius Stoddard:

Ordered, That the commiſſioner for ſettling the accounts of the hoſpital department, adjuſt and liquidate thoſe of doctor Darius Stoddard.

THURSDAY, MAY 1, 1783.

On motion of Mr. A. Lee, ſeconded by Mr. Condict,

Reſolved, That when a member takes any paper from the files of Congreſs, he ſhall leave a receipt for the ſame in the office.

A letter having been read from the miniſter of France to the ſecretary for foreign affairs, requeſting him to inform Congreſs of the propoſed departure of the duke de Lauzun's legion and other detachments of count Rochambeau's army for France; and expreſſing, with the duke de Lauzun, the ſenſe that he and the other officers and men of this army entertain of the harmony which has ſubſiſted between them and the inhabitants of theſe ſtates,

and

and of the hoſpitality with which they have been treated by them:

Reſolved, That the ſecretary for foreign affairs inform the miniſter of France, that Congreſs learn with pleaſure the ſatisfaction which the duke de Lauzun, and the officers and men of the French army in America expreſs, in the harmony which has ſubſiſted between them and the inhabitants of theſe ſtates, ſince it exhibits at the ſame time, a ſtrong proof of the good diſpoſition and diſcipline of the commanders, officers and men, and the juſt ſenſe the people of this country entertain of the important ſervices they have rendered.

As a further teſtimony of which,

Reſolved, That the ſecretary for foreign affairs, inform the duke de Lauzun, and the officers and men under his command, that the United States in Congreſs aſſembled, are highly ſenſible of their ſucceſsful exertions in the cauſe of America, and of the ſtrict attention which they have at all times paid to the rights of its citizens; and while they rejoice at the events which have brought tranquility to theſe ſtates, it adds to their pleaſure to reflect, that it reſtores thoſe who have been active in procuring it to their friends and their country.

On the report of a committee, conſiſting of Mr. Gorham, Mr. Fitzſimmons and Mr. Holten, to whom was referred a memorial from Mr. Hawkins and Mr. Williamſon:

Ordered, That the ſecretary for foreign affair, forward to the Britiſh general and admiral commanding at New-York, a copy of the papers laid before Congreſs by Mr. Hawkins and Mr. Williamſon, delegates from the ſtate of North-Carolina, reſpecting the capture of a flag, that juſtice may be done.

Congreſs reſumed the conſideration of the report of the committee on the memorial of Oliver Pollock; whereupon,

On motion of Mr. Rutledge,

Reſolved, That Oliver Pollock be allowed five thouſand dollars as a compenſation for his extraordinary ſervices.

Ordered, That the remainder of the report be recommitted.

On a report of the ſecretary at war, to whom was referred a letter from preſident Dickinſon to the delegates of Pennſylvania:

Reſolved,

Resolved, That the secretary at war take the most effectual measures to inform the several Indian nations, on the frontiers of the United States, that preliminary articles of peace have been agreed on, and hostilities have ceased with Great Britain, and to communicate to them that the forts within the United States, and in possession of the British troops, will speedily be evacuated; intimating also that the United States are disposed to enter into friendly treaty with the different tribes; and to inform the hostile Indian nations, that unless they immediately cease all hostilities against the citizens of these states, and accept of these friendly profers of peace, Congress will take the most decided measures to compel them thereto.

Ordered, That the secretary at war transmit the proceedings of Congress herein, with copies of president Dickinson's and general Irwine's letters, to the commander in chief and to the commissioners for Indian affairs in the northern department.

FRIDAY, MAY 2, 1783.

On the report of a committee to whom was recommitted the remainder of their report on the memorial of Oliver Pollock.

Resolved, That the superintendant of finance inform himself, as soon as may be, whether the governor or treasurer of New-Orleans hold the United States accountable for seventy four thousand and eighty seven dollars, supplied by a former governor to Oliver Pollock, and by him charged to these United States: that in the mean time no part of the balance which shall appear to be due to the said O. Pollock, over and above the aforesaid sum of 74,087 dollars, shall be detained from him on account of the resolution of the 7th day of November, 1781; and that the superintendant of finance take order for payment of the said balance, as soon as the situation of the finances will permit.

On the report of a committee, consisting of Mr. Bland, Mr. Hamilton and Mr. Peters, to whom were referred a memorial of major Villefranche and captain L'Enfant, and a memorial of lieutenant colonel Cambray.

Resolved, That lieutenant colonel Cambray, of the corps of engineers, be promoted to the rank of colonel by brevet.

That

That major Villefranche, of the ſaid corps, be promoted to the rank of lieutenant colonel by brevet; and that captain L'Enfant, of the ſaid corps, be promoted to the rank of major by brevet.

On motion of Mr. Hamilton, ſeconded by Mr. Wilſon:

"Whereas it is the deſire of Congreſs, when the reduction of the army ſhall take place, to enable the officers and ſoldiers to return to their reſpective homes with convenience and ſatisfaction; for which purpoſe it will be indiſpenſible to advance them a part of their pay before they leave the field: and whereas, at the preſent juncture, there are many other engagements for which the public faith is pledged, and the punctual performance of which is eſſential to the credit of the United States; neither of which important objects can be effected without the vigorous exertions of the ſeveral ſtates in the collection of taxes: therefore,

Reſolved, That the reſpective ſtates be called upon in the moſt earneſt manner to make every effort in their power to forward the collection of taxes, that ſuch a ſum may without delay be paid into the common treaſury, as will be adequate to the public exigencies; and that Congreſs confidently rely for an immediate and efficacious attention to the preſent requiſition upon the diſpoſition of their conſtituents, not only to do juſtice to thoſe brave men who have ſuffered and ſacrificed ſo much in the cauſe of their country, and whoſe diſtreſſes muſt be extreme, ſhould they be ſent from the field without the payment of a part of their well-earned dues; but alſo to enable Congreſs to maintain the faith and reputation of the United States, both which are ſeriouſly concerned in relieving the neceſſities of a meritorious army, and fulfilling the public ſtipulations.

Reſolved, That the ſuperintendant of finance be directed to take the neceſſary arrangements for carrying the views of Congreſs into execution; and that he be aſſured of their firm ſupport towards fulfilling the engagements he has already taken, or may take on the public account during his continuance in office.

On the report of a committee, conſiſting of Mr. Williamſon, Mr. Izard and Mr. Madiſon, to whom were referred ſundry papers and memorials on the ſubject of literary property:

Reſolved,

Resolved, That it be recommended to the several states, to secure to the authors or publishers of any new books not hitherto printed, being citizens of the United States, and to their executors, administrators and assigns, the copy right of such books for a certain time not less than fourteen years from the first publication; and to secure to the said authors, if they shall survive the term first mentioned, and to their executors, administrators and assigns, the copy right of such books for another term of time not less than fourteen years, such copy or exclusive right of printing, publishing and vending the same, to be secured to the original authors, or publishers, their executors, administrators and assigns, by such laws and under restrictions as to the several states may seem proper.

WEDNESDAY, MAY 7, 1783.

On the report of a committee, consisting of Mr. A. Lee, Mr. Williamson and Mr. Clarke, to whom was referred a motion for an indemnification for acts done in the execution of military operations:

Resolved, That it be recommended to the legislatures of the several states, to pass laws indemnifying all officers of the army of the United States, for damages which individuals may have sustained by any act or proceeding of such officers, which the execution of military operations may have rendered necessary.

On the report of a committee, consisting of Mr. Clarke, Mr. Mifflin and Mr. Williamson, to whom was referred a letter of the 6th from the secretary at war:

Resolved, That the secretary at war, be directed to cause the accounts for subsistance money due to officers of the army of the United States, who were prisoners of war at the time hostilities ceased between the United States of America and Great-Britain, to be settled up to the first day of this present month.

The committee, consisting of Mr. Higgenson, Mr. Clarke and Mr. Gervais, to whom was referred a motion of Mr. Dyer, report,

"That such of the states as have settled with the officers and soldiers of their respective lines, for their pay in the army of the United States since the first day of August, 1780, be requested to exhibit the accounts of such

ſuch payments, with proper vouchers, ſhewing the periods to which they have ſettled with their ſeveral lines and the manner in which ſuch payments were made, and the ſuperintendant of finance is hereby directed, upon the receipt of ſuch accounts, vouched as aforeſaid, to give to ſuch ſtates public ſecurities, payable in the ſame manner and for the ſame ſums as would have been otherwiſe given to the officers and ſoldiers of ſuch lines for their pay, from the ſaid firſt day of Auguſt, 1780, to the time when they were ſo paid by their reſpective ſtates."

On the queſtion to agree to the ſaid report, the yeas and nays being required by Mr. Dyer,

New Hampſhire,	Mr. White	*ay*	*
Maſſachuſetts,	Mr. Gorham	*ay*	*ay*
	Mr. Higgenſon	*ay*	
Rhode-Iſland,	Mr. Collins	*ay*	*ay*
	Mr. Arnold	*ay*	
Connecticut,	Mr. Ellſworth	*ay*	*ay*
	Mr. Dyer	*ay*	
New-York,	Mr. Hamilton	*no*	*
New-Jerſey,	Mr. Boudinot	*ay*	*ay*
	Mr. Clarke	*ay*	
	Mr. Condict	*ay*	
Pennſylvania,	Mr. Mifflin	*ay*	*divided*
	Mr. Fitzſimmons	*no*	
Virginia,	Mr. Madiſon	*no*	*no*
	Mr. Bland	*no*	
	Mr. Lee	*ay*	
North-Carolina,	Mr. Hawkins	*no*	*no*
	Mr. Williamſon	*no*	
South-Carolina,	Mr. Rutledge	*no*	*no*
	Mr. Izard	*no*	
	Mr. Gervais	*no*	

So the queſtion was loſt.

THURSDAY, MAY 8, 1783.

Mr. J. Montgomery, a delegate for Pennſylvania, returned and took his ſeat.

The delegates for Virginia laid before Congreſs a letter of the 3d from Thomas Walke; and the ſame being read,

On motion of Mr. Bland, ſeconded by Mr. Williamſon;

Ordered,

Ordered, That a copy of the ſaid letter be tranſmitted to the commander in chief, for his information in carrying into effect the reſolution of the 15th of April laſt.

FRIDAY, MAY 9, 1783.

On motion of Mr. Madiſon, ſeconded by Mr. Holten,

Reſolved, That the preſident, at the time of tranſmitting to the executive authorities of the ſeveral ſtates copies of the recommendations of Congreſs of the 18th of April laſt, and the addreſs of the 26th of the ſame month, inform them, that it is the earneſt deſire of Congreſs that ſuch of the legiſlatures as are neither ſitting, nor about to ſit in a ſhort time, may be convened with all poſſible expedition.

MONDAY, MAY 12, 1783.

The committee, conſiſting of Mr. Hamilton, Mr. Madiſon, Mr. Oſgood, Mr. Ellſworth and Mr. Wilſon, to whom was referred a letter of the 3d from the commander in chief, having brought in a report, and the ſame having been debated and amended on Friday laſt, and the determination thereof poſtponed by the ſtate of Virginia, a queſtion was now taken, whereupon,

Reſolved, That the commander in chief be directed whenever the frontier poſts in theſe United States ſhall be evacuated purſuant to the articles of peace, to place therein, of the troops under his command, who have enliſted for three years, and whoſe term of ſervice may not then have expired, ſuch force as he may judge neceſſary to ſecure and hold the ſame, until further meaſures can be taken for the ſecurity of them, or ſuch of them as it may be neceſſary to continue to ſupport, provided it does not exceed the term of nine months; and that he take meaſures for exchanging with the Britiſh, or tranſporting artillery, ſtores and proviſions, that he may judge neceſſary for that purpoſe; and the ſuperintendant of finance is directed to afford all the aſſiſtance in his department which circumſtances will permit:

On the queſtion to agree to this, the yeas and nays being required by Mr. Mercer,

New-Hampſhire,	Mr. White	*ay*	*
Maſſachuſetts,	Mr. Holten	*ay*	
	Mr. Gorham	*ay*	*ay*
	Mr Higgenſon	*ay*	

Rhode Iſland,

Rhode Iſland,	Mr. Collins	ay	ay
	Mr. Arnold	ay	
Connecticut,	Mr. Elliſworth	ay	ay
	Mr. Dyer	ay	
New-York,	Mr. Hamilton	ay	*
New Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
Pennſylvania,	Mr. Wilſon	ay	ay
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. Hemſley	ay	
Virginia,	Mr. Bland	no	no
	Mr. A. Lee	no	
	Mr. Mercer	no	
North Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Izard	ay	
	Mr. Gervais	ay	

So it paſſed in the affirmative.

On motion,

Reſolved, (by nine ſtates) That the ſuperintendant of finance be directed to pay to the officers who were deputed by the army to preſent their memorial to Congreſs, and alſo to major Judd, attending Congreſs on his laſt memorial preſented the 8th of January laſt, in behalf of the deranged officers, whatever may have been their reaſonable expences during their ſtay in town, until the commutation for half-pay was agreed to by Congreſs.

On the report of a committee, conſiſting of Mr. Higgenſon, Mr. Hawkins and Mr. Mercer, to whom was referred a memorial of Eraſmus Gill:

Reſolved, (by nine ſtates) That the accounts of captain Eraſmus Gill be liquidated and adjuſted, and that the ſuperintendant of finance take order to replace the money which captain Gill may prove to have been neceſſarily expended by him for the ſupport of himſelf and officers, on his march from Savannah to Lancaſter.

WEDNESDAY, MAY 14, 1783.

Mr. Benjamin Hawkins and Mr. H. Williamſon, two of the delegates of North-Carolina, attending, produced credentials

dentials dated 27th day of April, 1783, by which it appears that Benjamin Hawkins, Hugh Williamſon, Abner Naſh, and Richard Dobbs Spaight, eſquires, were duly elected and appointed to repreſent the ſaid ſtate for one year, from the 13th day of May, 1783.

THURSDAY, MAY 15, 1783.

On the report of a committee, conſiſting of Mr. Ellſworth, Mr. Williamſon and Mr. Gervais, to whom was referred a motion of the delegates of the ſtate of Rhode-Iſland:

Reſolved, That the claim of the officers of a brigade raiſed in the ſtate of Rhode-Iſland and Providence Plantations in February 1779, for one year, with the approbation of Congreſs, for depreciation of their pay is inadmiſſible, no allowance of that kind having been made or approved by Congreſs, to any officers or ſoldiers diſcharged from ſervice before the 10th of April, 1780.

Ordered, That the accounts of major J. Flagg and J. Flagg, junior, for their ſervices in the department of military ſtores, be referred to the ſecretary at war to report thereon; and, that the remainder of the report be recommitted.

On motion of Mr. Bland, ſeconded by Mr. Holten:

Reſolved, That in future, when ſmall committees are to be appointed, the members ſhall ballot at their ſeats, and a member for each ſtate ſhall put their ballot into a box which ſhall ſtand on the table, and when all the ſtates preſent have balloted, the ſecretary ſhall take out the ballots and deliver them to the preſident, who ſhall note down the number for each perſon, and declare their names diſtinctly.

FRIDAY, MAY 16, 1783.

On the report of a committee, conſiſting of Mr. Clarke, Mr. Ellſworth and Mr. Izard, to whom was referred a memorial from the chaplains, reſpecting their half-pay and commutation in lieu thereof:

Reſolved, That the commutation in lieu of half pay, as well to chaplains as to the officers of the hoſpital department and medical ſtaff, ſhall be calculated by what they are reſpectively entitled to, agreeably to the reſolutions of the 17th of January, and 8th of May, 1781.

On

On the report of a committee, conſiſting of Mr. Williamſon, Mr. Carroll and Mr. Oſgood, to whom was referred ſo much of a letter of the 11th June, 1781, from the honourable doctor Franklin, and of a letter of the 4th of October, 1781, from the honourable J. Adams, as reſpects allowances to be made to the miniſters of the United States at foreign courts.

Reſolved, That the payment of couriers and the poſtage of letters ſhall be charged to the United States by their miniſters at foreign courts, as contingent expences, and ſhall be allowed as ſuch, excluſive of their ſalaries.

FRIDAY, MAY 23, 1783.

The committee, conſiſting of Mr. Hamilton, Mr. Peters, and Mr. Gorham, to whom was referred a letter of the 9th from the ſuperintendant of finance and ſecretary at war, in order to confer with them on the reſolutions of the 7th and 28th of April, and 2d inſtant, report, "That all the non-commiſſioned officers and ſoldiers in the ſervice of the United States, inliſted to ſerve during the war, be diſcharged; and that the ſecretary at war and commander in chief take the proper meaſures for doing this, in a manner moſt convenient to the ſoldiery, and to the inhabitants, having the men previouſly conducted, under proper officers, to their reſpective ſtates; and that they be at the ſame time authoriſed, to retain as many officers as they may judge neceſſary to command the men who ſtill continue in ſervice, permitting the others to retire."

A motion was made by Mr. Madiſon, ſeconded by Mr. Carroll, "that the report be recommitted?"

And on the queſtion for recommittment, the yeas and nays being required by Mr. Dyer,

Maſſachuſetts,	Mr. Holten	*ay*	
	Mr. Gorham	*ay*	*ay*
	Mr. Higgenſon	*no*	
Rhode-Iſland,	Mr. Collins	*no*	*no*
	Mr. Arnold	*no*	
Connecticut,	Mr. Ellſworth	*no*	*no*
	Mr. Dyer	*no*	
New-York,	Mr. Hamilton	*no*	*
New-Jerſey,	Mr. Boudinot	*no*	*no*
	Mr. Clarke	*no*	

Pennſylvania,

Pennſylvania,	Mr. Fitzſimmons	no	divided
	Mr. Wilſon	no	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. Hemſley	ay	
Virginia,	Mr. Madiſon	ay	ay
	Mr. Bland	ay	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Rutledge	no	ay
	Mr. Izard	ay	
	Mr. Gervais	ay	

So the queſtion was loſt.

A motion was then made by Mr. Williamſon, ſeconded by Mr. Carroll, to poſtpone the report in order to take up the following motion:

"That the commander in chief be inſtructed to grant furloughs to the non-commiſſioned officers and ſoldiers in the ſervice of the United States, inliſted to ſerve during the war, who ſhall be diſcharged as ſoon as the definitive treaty of peace is concluded, together with a proportionable number of commiſſioned officers of the different grades; and that the ſecretary at war and commander in chief, take the proper meaſures for conducting thoſe troops to their reſpective homes, in ſuch a manner as may be moſt convenient to themſelves, and to the ſtates through which they may paſs, and that the men thus furloughed be allowed to take their arms with them, the reſolution of the 23d of April, to the contrary notwithſtanding:"

On the queſtion to poſtpone for the purpoſe abovementioned, the yeas and nays being required by Mr. Dyer,

Maſſachuſetts,	Mr. Holten	no	no
	Mr. Gorham	no	
	Mr. Higgenſon	no	
Rhode-Iſland,	Mr. Collins	no	divided
	Mr. Arnold	ay	
Connecticut	Mr. Elſworth	ay	divided
	Mr. Dyer	no	
New-York,	Mr. Hamilton	no	*
New-Jerſey,	Mr. Boudinot	no	no
	Mr. Clarke,	no	

Pennſylvania,

Pennſylvania,	Mr. Fitzſimmons	no	divided
	Mr. Wilſon	no	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. Hemſley	ay	
Virginia,	Mr. Madiſon	ay	ay
	Mr. Bland	ay	
	Mr. Mercer	no	
North-Carolina,	Mr Hawkins	ay	ay
	Mr Williamſon	ay	
South-Carolina,	Mr. Rutledge	no	no
	Mr. Izard	no	
	Mr. Gervais	no	

So the queſtion was loſt.

On the queſtion to agree to the report, the yeas and nays being required by Mr. Hamilton,

Maſſachuſetts,	Mr. Holten	ay	ay
	Mr. Gorham	ay	
	Mr. Higgenſon	ay	
Rhode-Iſland,	Mr. Collins	ay	divided
	Mr. Arnold	no	
Connecticut,	Mr. Ellſworth	ay	ay
	Mr. Dyer	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
Pennſylvania,	Mr. Fitzſimmons	ay	divided
	Mr. Wilſon	ay	
	Mr. Montgomery	no	
	Mr. Peters	no	
Maryland,	Mr. Carroll	no	no
	Mr. Hemſley	no	
Virginia,	Mr. Madiſon	no	no
	Mr. Bland	no	
	Mr. Mercer	no	
North Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South Carolina,	Mr. Rutledge	no	no
	Mr. Izard	no	
	Mr. Gervais	no	

So the queſtion was loſt.

MONDAY,

MONDAY, May 26, 1783.

On the report of a committee, consisting of Mr. Gorham, Mr. Fitzsimmons, and Mr. Hawkins, to whom was referred a letter of the 15th, from the superintendant of finance, announcing the decease of Robert Smith, late agent from the United States at the port of Havanna:

Resolved, That another agent be appointed for that service:

Ordered, That to morrow be assigned for the election.

On motion of Mr. Hamilton, seconded by Mr. Izard.

Whereas by the articles agreed upon on the 30th of November last, by and between the commissioners of the United States of America for making peace, and the commissioner on the part of his Britannic Majesty, it is stipulated that his Britannic Majesty shall with all convenient speed, and without causing any destruction, or carrying away any negroes or other property of the American inhabitants, withdraw all his armies, garrisons and fleets from the said United States, and from every port, place and harbour within the same: and whereas a considerable number of negroes belonging to the citizens of these states, have been carried off therefrom, contrary to the true intent and meaning of the said articles:

Resolved, That copies of the letters between the commander in chief and sir Guy Carleton, and other papers on this subject, be transmitted to the ministers plenipotentiary of these states for negociating a peace in Europe; and that they be directed to remonstrate thereon to the court of Great-Britain, and take proper measures for obtaining such reparation as the nature of the case will admit.

Ordered, That a copy of the foregoing resolve be transmitted to the commander in chief; and that he be directed to continue his remonstrances to sir Guy Carleton, respecting the permitting negroes belonging to the citizens of these states to leave New-York, and to insist on the discontinuance of that measure.

On motion of Mr. Hamilton, seconded by Mr. Higgenson;

Resolved, That the commander in chief be instructed to grant furloughs to the non-commissioned officers and soldiers in the service of the United States, entitled to

ſerve during the war, who ſhall be diſcharged as ſoon as the definitive treaty of peace is concluded, together with a proportionable number of commiſſioned officers of the different grades; and that the ſecretary at war and commander in chief take the proper meaſures for conducting thoſe troops to their reſpective homes, in ſuch a manner as may be moſt convenient to themſelves, and to the ſtates through which they may paſs; and that the men thus furloughed be allowed to take their arms with them.

On motion of Mr. Williamſon, ſeconded by Mr. Hawkins;

Reſolved, That the commanding officer in the ſouthern department be alſo inſtructed to grant furloughs to the troops under his command, from the ſtate of North-Carolina, who have been inliſted to ſerve for the term of eighteen months, together with a proportionable number of commiſſioned officers of the different grades; and that the ſecretary at war, in conjunction with the commanding officer, take meaſures for conducting ſuch troops to their reſpective homes.

THURSDAY, MAY 29, 1783.

On motion of Mr. Hamilton, ſeconded by Mr. Clarke:

Reſolved, That general Waſhington be informed, in anſwer to his letter of the fourteenth, that it is the deſire of Congreſs, the evacuation of New-York and its dependencies may not be retarded by a preference to that of any other place.

FRIDAY, MAY 30, 1783.

Mr. Richard Beresford, a delegate for South Carolina, attended and produced the credentials of his appointment, by which it appears, that on the 15th of March laſt he was duly elected.

The committee, conſiſting of Mr. Hamilton, Mr. Ellſworth, Mr. Izard, Mr. Madiſon and Mr. Hawkins, appointed to take into conſideration and report to Congreſs what further ſteps are proper to be taken by them for carrying into effect the ſtipulations contained in the articles between the United States and Great-Britain, dated the 30th day of November laſt, having reported as follows:

"Whereas

"Whereas by the treaty entered into at Paris, on the 30th day of November laſt, between the commiſſioners for making peace on the part of the United States, and the commiſſioner for making peace on the part of his Britannic Majeſty, it is ſtipulated, among other things, in the 4th, 5th, and 6th articles, as follows:

Article 4. It is agreed that creditors on either ſide ſhall meet with no lawful impediment to the recovery of the full value in ſterling money of all bona fide debts heretofore contracted.

Article 5. It is agreed, that the Congreſs ſhall earneſtly recommend it to the legiſlatures of the reſpective ſtates, to provide for the reſtitution of all eſtates, rights and properties which have been confiſcated, belonging to real Britiſh ſubjects, and alſo of the eſtates, rights and properties of perſons reſident in diſtricts in the poſſeſſion of his Majeſty's arms, and who have not borne arms againſt the ſaid United States; and that perſons of any other deſcription ſhall have free liberty to go to any part or parts of any of the thirteen United States, and therein to remain twelve months, unmoleſted in their endeavours to obtain the reſtitution of ſuch of their eſtates, rights and properties as may have been confiſcated. And that Congreſs ſhall alſo earneſtly recommend to the ſeveral ſtates, a reconſideration and reviſion of all acts or laws regarding the premiſes, ſo as to render the ſaid laws or acts perfectly conſiſtent, not only with juſtice and equity, but with that ſpirit of conciliation which on the return of the bleſſings of peace ſhould univerſally prevail. And that Congreſs ſhall alſo earneſtly recommend to the ſeveral ſtates, that the eſtates, rights and properties of ſuch laſt mentioned perſons, ſhall be reſtored to them, they refunding to any perſons who may be now in poſſeſſion, the bona fide price (where any has been given) which ſuch perſons may have paid on purchaſing any of the ſaid lands, rights or properties ſince the confiſcation.

And it is agreed, that all perſons who may have any intereſt in confiſcated lands, either by debts, marriage ſettlements or otherwiſe, ſhall meet with no lawful impediment in the proſecution of their juſt rights.

Article 6. That there ſhall be no future confiſcations made, nor any proſecutions commenced againſt any perſon or perſons, for, or by reaſon of the part which he or they may have taken in the preſent war; and that no perſon ſhall, on

on that account, ſuffer any future loſs or damage, either in his perſon, liberty or property, and that thoſe who may be in confinement on ſuch charges, at the time of the ratification of the treaty in America, ſhall be immediately ſet at liberty, and the proſecution ſo commenced be diſcontinued.

And whereas Congreſs are deſirous of giving ſpeedy and full effect to all the ſtipulations in the ſaid treaty on the part of the United States, and of accelerating thereby the bleſſings of peace, in confidence, that the conduct of his Britannic Majeſty will be governed by a like diſpoſition; therefore,

Reſolved, That the ſeveral ſtates be required, and they are hereby required to remove all obſtructions which may interpoſe in the way of the intire and faithful execution of the fourth and ſixth articles above recited. And that it be at the ſame time earneſtly recommended to them, to take into ſerious conſideration the fifth article alſo above recited, and to conform to the ſeveral matters therein contained, with that ſpirit of moderation and liberality, which ought ever to characteriſe the deliberations and meaſures of a free and enlightened nation."

A motion was made by Mr. Peters, ſeconded by Mr. Izard, that the ſaid report be committed,

And on the queſtion for commitment, the yeas and nays being required by Mr. Hamilton,

Maſſachuſetts,	Mr. Holten	ay	ay
	Mr. Gorham	ay	
Rhode-Iſland,	Mr. Collins	ay	ay
	Mr. Arnold	ay	
New-York,	Mr. Hamilton	no	*
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Mifflin	ay	ay
	Mr. Fitzſimmons	ay	
	Mr. Wilſon	ay	
	Mr. Peters	ay	
	Mr. Montgomery	ay	
Delaware,	Mr. M'Comb	ay	ay
	Mr. Bedford	ay	
Virginia,	Mr. Madiſon	ay	ay
	Mr. Bland	ay	
	Mr. Mercer	ay	

North-Carolina,

North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Izard	ay	
	Mr. Beresford	ay	

So it was reſolved in the affirmative.

On motion of Mr. Bland, ſeconded by Mr. Hawkins:

Reſolved, That no commercial agent of the United States in foreign ports ſhall be entitled to a ſalary, unleſs ſuch ſalary is expreſſed in the reſolution appointing the agent.

Congreſs proceeded to the election of a commercial agent of the United States, at the port of Havanna, and the ballots being taken,

Mr. Oliver Pollock was elected, having been previouſly nominated by Mr. Clarke.

MONDAY, JUNE 2, 1783.

Ordered, That a commiſſion iſſue to Oliver Pollock, as commercial agent of the United States at the Havanna.

The form of a commiſſion being prepared at the table, was agreed to.

On the report of a committee, conſiſting of Mr. Fitzſimmons, Mr. Peters, and Mr. Holten, to whom was recommitted their report on a motion of Mr. Holten, reſpecting bonds given by commanders of private armed veſſels:

Reſolved, That the agent of marine, for the time being, be, and he is hereby authoriſed and directed, whenſoever complaints are exhibited of public abuſes or private injuries committed by the captains or commanders of any privateers or armed veſſels ſa ling under the authority of the United States, to cauſe ſuch legal meaſures for obtaining redreſs, by means of the bonds given on taking out commiſſions for ſuch privateers or armed veſſels, for any abuſes or injuries contrary to their inſtructions, or in violation of the maritime ordinances of the United States, or the laws and cuſtoms of nations as to juſtice appertains; all proſecutions for private injuries upon ſaid bonds to be at the riſque and expence of the complainants, or the perſons ſaid to be aggrieved.

TUESDAY,

TUESDAY, JUNE 3, 1783.

A letter of the 31ſt of May, from W. Geddes, one of the auditors at the treaſury, was read, deſiring leave to reſign; whereupon,

Reſolved, That the reſignation of Mr. William Geddes be accepted, and that he be informed that Congreſs are well ſatisfied with his diligence and fidelity in the diſcharge of the duties of his late office.

On the report of a committee, conſiſting of Mr. Clarke, Mr. Peters, and Mr. Williamſon, to whom was referred a memorial of colonel John Allan:

Reſolved, That colonel John Allan, ſuperintendant of Indian affairs for the eaſtern department, be re-appointed to that office, and that a commiſſion be iſſued to him according to the tenor of the draught reported by the committee.

Ordered, That ſo much of the memorial of colonel John Allan, ſuperintendant of Indian affairs for the eaſtern department, as relates to compenſation for ſervices, and his requeſt to be enabled to diſcharge the debts due to the Indians by virtue of his neceſſary ſtipulations in behalf of the United States, be referred to the ſuperintendant of finance to take order.

WEDNESDAY, JUNE 4, 1783.

The committee, conſiſting of Mr. Rutledge, Mr. Bedford, Mr. Carroll, Mr. Higgenſon, and Mr. Wilſon, to whom was referred a motion of Mr. Bland, for accepting the ceſſion of territory made by the legiſlature of the commonwealth of Virginia, on the 2d of January, 1781, report, that in their opinion it will be proper for Congreſs to proceed to a determination on the report of the 3d of November, 1781, and which is entered on the journal of the 1ſt of May, 1782, reſpecting the ceſſion from the ſtate of Virginia, and that a deciſion upon the ſaid motion be poſtponed until that report ſhall be taken into conſideration; whereupon,

Congreſs reſumed the conſideration of the report of the committee of the 3d of November, 1781, and after debate,

Ordered, That ſo much thereof as relates to the ceſſion made by the commonwealth of Virginia, on the 2d day of

of January, 1781, be referred to a committee of five members.

On the report of a committee, conſiſting of Mr. Gorham, Mr. Hamilton, Mr. Arnold, Mr. Ellſworth and Mr. Izard, to whom were referred the acts of the legiſlatures of New-York and Maryland, with the papers accompanying them:

Reſolved, That copies of the act of the legiſlature of Maryland, relative to the ceſſion of the city of Annapolis to Congreſs for their permanent reſidence; and alſo copies of the act of the legiſlature of New-York, relative to the ceſſion of the town of Kingſton, for the ſame purpoſe, together with the papers which accompanied both acts, be tranſmitted to the executives of the reſpective ſtates, and that they be informed by the preſident, that Congreſs have aſſigned the firſt Monday in October next for taking the ſaid offers into conſideration.

On motion of Mr. Hamilton, ſeconded by Mr. Clarke.

Mr. Livingſton having ſignified to Congreſs his deſire of relinquiſhing the exerciſe of the office of foreign affairs, and his intention of returning to the ſtate of New-York:

Reſolved, That the ſecretary of Congreſs be directed to receive the papers of the ſaid office into his care, till a ſucceſſor to Mr. Livingſton can be appointed; and that next Wedneſday be aſſigned for the election of a ſecretary for the department of foreign affairs:

Reſolved unanimouſly, That the thanks of Congreſs be preſented to Mr. Livingſton for his ſervices during his continuance in office; and that he be aſſured Congreſs entertain a high ſenſe of the ability, zeal and fidelity with which he hath diſcharged the important truſt repoſed in him.

THURSDAY, JUNE 5, 1783.

On motion of Mr. Williamſon, ſeconded by Mr. Clarke:

Whereas the ſafety of packets, ſhips of war or armed veſſels in the ſervice of the United States, may be greatly affected by loading goods or merchandizes on board ſuch veſſels under the name of ballaſt, officers privileges, or under other ſuch pretexts.

Reſolved, That if any captain or commander of any packet, ſhip of war or armed veſſel in the ſervice of the United

United States, ſhall load, or ſuffer to be laden on board the veſſel of which he has the command, any goods and merchandize, without the expreſs order or permiſſion of Congreſs or their agent of marine, he ſhall forfeit his commiſſion for ſuch offence.

TUESDAY, JUNE 10, 1783.

On the report of a committee, conſiſting of Mr. Rutledge, Mr. Fitzſimmons and Mr. Madiſon, to whom was referred ſo much of the letter of the 5th of December, from the governor of New-Orleans, and a letter of 2d of March, from the governor of Havanna, as relates to the violation of the laws of nations and rights of neutrality, alledged to have been committed by Church and Heydon, together with a note from the honourable the miniſter of France, accompanied with a letter of 25th of March, from Don Antonio Argote.

Reſolved, That copies of the papers abovementioned, together with a copy of the decree of the court of appeals, in the caſe of the brigantine San Antonio, be tranſmitted to the governor of the ſtate of Maſſachuſetts, and that he be requeſted to cauſe proper enquiry to be made into the criminal charge againſt Meſſrs. Church and Heydon, and ſuch meaſures taken as may be moſt effectual for procuring ſatisfaction for the injury done, as is alledged, to the flag of his Catholic Majeſty; and that copies of this reſolution and of the decree of the court of appeals aforeſaid, be tranſmitted to the honourable the miniſter of France, and to the governor of New-Orleans.

The committee, conſiſting of Mr. Gorham, Mr. Fitzſimmons, Mr. Hemſley, Mr. A. Lee, and Mr. Higgenſon, appointed purſuant to the reſolution of the 17th of June, 1782, "to enquire fully into the proceedings of the office of finance, including the ſeveral branches of the ſame," reported the reſult of their enquiries.

WEDNESDAY, JUNE 11, 1783.

Mr. James M'Henry, a delegate for the ſtate of Maryland, attended and produced the credentials of his appointment.

A letter of this day from the ſecretary at war, was read, informing that the troops of Pennſylvania, Delaware,

ware, Maryland and Virginia, are yet to be furloughed, and that it is neceſſary ſome perſon ſhould be authoriſed and directed to ſign the furloughs; whereupon

Reſolved, That the ſecretary at war be authoriſed and directed to furlough ſuch of the troops of Pennſylvania, Delaware, Maryland and Virginia, as are yet to be furloughed, agreeably to the reſolution of the 26th day of May laſt.

On motion of Mr. Peters, ſeconded by Mr. Holten:

Ordered, That the election of a ſecretary for foreign affairs be poſtponed till Tueſday next.

FRIDAY, JUNE 13, 1783.

On the report of a committee, conſiſting of Mr. Bland, Mr. M'Henry and Mr. Gorham, to whom was referred a letter of the 11th from the ſecretary at war.

Whereas the ſecretary at war was, by the reſolution of the 26th day of April, 1782, directed and empowered to eſtabliſh ſufficient magazines at New-London, in Virginia, and at ſundry other places within the United States: and whereas the ſecretary at war is of opinion, and it alſo appears to the committee that it would be moſt proper to erect the magazine in Virginia, at a place more convenient than New-London; therefore,

Reſolved, That the ſecretary at war be authoriſed to conſtruct and erect magazines for keeping ſuch of the ſtores of the United States as it ſhall be found neceſſary to ſend to Virginia, at ſuch place above the falls of James river, as ſhall, in his opinion, be the beſt adapted for that purpoſe, the above reſolution notwithſtanding; and that he lay before Congreſs, as ſoon as may be, an eſtimate of the expence for building and compleating the ſame, and ſuch other of the magazines, mentioned in the ſaid reſolution, as yet remain to be built or compleated.

TUESDAY, JUNE 17, 1783.

Mr. Jacob Read, a delegate for the ſtate of South-Carolina, attended and produced the credentials of his appointment, which were read.

Congreſs took into conſideration the report of the committee appointed to enquire fully into the proceedings of the office of finance; and the ſame being read,

Ordered, That it be entered on the journal, as follows:

"The committee appointed to examine into the tranſactions of the office of finance, having compleated that enquiry to the 1ſt of January, 1783, report,

That it appears to them the buſineſs of that office has been conducted with great ability and aſſiduity, in a manner highly advantageous to the United States, and in conformity with the ſyſtem laid down by Congreſs.

In the courſe of this enquiry, the committee have found, that ſince the appointment of the ſuperintendant of finance, the public accounts of receipts and expenditures have been regularly and punctually kept; that many of the accounts which preceded this inſtitution have already been ſettled, and moſt of the others put into a train of adjuſtment.

That all the perſons who have been intruſted with public money, under the preſent appointment, have been regularly called upon for an account of its expenditure, and that their accounts have all been furniſhed, excepting only the quartermaſter general, the purveyor of the hoſpitals, the late commiſſary general of priſoners, and the account of iſſues of cloathing from the cloathier general. The reaſons which have prevented the ſettlement of their accounts will appear in their correſpondence with the ſuperintendant on that ſubject.

The committee find, by the correſpondence of the office, that the ſtates have all been called upon for an account of the ſpecifics by them reſpectively ſupplied for the uſe of the continent, but that no anſwers have yet been given nor any accounts furniſhed; and that a number of people who have heretofore been intruſted with public money do ſtill neglect or refuſe to ſettle their accounts, and that for want of laws in the ſeveral ſtates the ſuperintendant has it not in his power to compel them to a proper ſettlement.

In examining the reforms which have been made in the public expenditures, the attention of the committee was neceſſarily called to the expenditures of former years, for the particulars of which they refer to the papers C, N°. 1 to 7; in comparing theſe expenditures with the preſent, and making every allowance for the difference of times and circumſtances, the committee are of opinion, that the order and œconomy which has been introduced ſince the eſtabliſhment of this office has been attended with great ſavings of public money, as well as many other beneficial conſequences.

Among

Among other reforms they find, that in the department of commiſſary of iſſues, no leſs than 250 perſons were diſcharged, whoſe pay (excluſive of rations for themſelves and their horſes) amounted to 126,300 dollars per annum. That in one inſtance, a demand was made for 1000 tons of hay for the poſt of Philadelphia, of which 10 tons only were granted. The reſidue being rendered unneceſſary by the new arrangement.

They find, that under the preſent adminiſtration the whole ſum which has been brought into the public treaſury, from the 14th day of May, 1781, to the 1ſt of January, 1783, amounts to 2,726,334 Dollars.

That the whole expenditure for that period, amounts to	3,131,046
Out of which has been paid to the army,	439,574
That there was expended for rations for the army in 1782,	617,152
That the quartermaſter general's department in 1782, is charged with	343,697
And the medical department in that year,	22,629

That the expenditures in 1782 exceeded the receipts 404,713 dollars, which was ſupplied by a circulation in the notes of the financier.

Upon comparing the accounts of the public receipts and expenditures (exhibited to Congreſs) with the books of the treaſury, they found that they had been fairly and regularly ſtated; and it appears to them that the buſineſs of that office is conducted with great diligence and accuracy, and in conformity with the rules laid down by Congreſs.

With reſpect to the foreign money tranſactions, the committee confined their enquiry principally to what reſpected the ſuperintendant of finance, and find that the bills of exchange which he has drawn is duly credited at the treaſury.

On motion of Mr. Gorham, ſeconded by Mr. Bland:

Ordered, That a committee be appointed to conſider what further meaſures may be neceſſary to compel perſons who have received public monies to account.

THURSDAY,

THURSDAY, JUNE 19, 1783.

Purſuant to the reſolution of the 27th of February, 1782, the ſuperintendant of finance reports, that he has appointed Joſeph Pennell, eſquire, a commiſſioner to ſettle the accounts of the marine department.

On the report of a committee, conſiſting of Mr. Hamilton, Mr. Madiſon, and Mr. Bland, to whom was referred a letter of the 7th, from the commander in chief:

Reſolved, That copies of the letter from the commander in chief, of the 7th inſtant, with the papers enclоſed, be tranſmitted to the ſeveral ſtates for their information, and that their attention be recalled to the reſolutions of the 2d of May laſt, to facilitate the punctual payment of the notes iſſued to the army on account of their pay.

Reſolved, That the commander in chief be informed Congreſs approve the variation made by him in the manner of furloughing the troops.

FRIDAY, JUNE 20, 1783.

On motion of Mr. Bland, ſeconded by Mr. Fitzſimmons:

Reſolved, That the ſuperintendant of finance report to Congreſs the obſtacles which have hitherto impeded the ſettlement of the accounts of the army; and that he report to Congreſs the moſt eligible means to obviate thoſe obſtacles.

Congreſs took into conſideration the report of the committee, conſiſting of Mr. Rutledge, Mr. Bedford, Mr. Carrol, Mr. Higgenſon, and Mr. Wilſon, to whom were referred the act of the legiſlature of Virginia, of the 2d of January, 1781, and the reports thereon, and a motion of Mr, Bland for accepting the ceſſion made in the ſaid act.

And the following paragraph being under debate, viz.

"That the ſecond condition, namely, that Virginia ſhould be allowed and fully reimburſed by the United States, her actual expences in reducing the Britiſh poſt at the Kaſkaſkies and St. Vincents; the expence of maintaining garriſons and ſupporting civil government there ſince the reduction of the ſaid poſts, and in general all the charge ſhe has incurred on account of the country on the northweſt ſide of the Ohio river, ſince the commencement of the preſent war, is ſubſtantially comprehended

in

in the engagement made by Congreſs in the ſaid act (viz. the act of the 10th of October, 1780) and that one commiſſioner ſhould be appointed by Congreſs, one by the ſtate of Virginia, and another by thoſe two commiſſioners, who, or a majority of whom, ſhould be authoriſed and empowered to adjuſt and liquidate the account of the neceſſary and reaſonable expences incurred by the ſaid ſtate, for the purpoſe mentioned in the ſaid condition."

A motion was made by Mr. M'Henry, ſeconded by Mr. Clarke, to ſtrike out the words, "That the ſecond condition is ſubſtantially comprehended in the engagement made by Congreſs in the ſaid act," and in lieu thereof to inſert, "That all reaſonable and neceſſary expences, incurred in ſubduing the Britiſh poſts at the Kaſkaſkies and St. Vincents, and the expence of maintaining garriſons there, or to the northweſt of the river Ohio, ſince the reduction of the ſaid poſts, ought to be allowed, being agreeable to the aforeſaid act."

And on the queſtion to agree to this amendment, the yeas and nays being required by Mr. M'Henry:

Maſſachuſetts,	Mr. Holten	ay	divided
	Mr. Higgenſon	no	
Rhode-Iſland,	Mr. Collins	ay	*
Connecticut,	Mr. Ellſworth	no	*
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Delaware,	Mr. M'Comb	ay	ay
	Mr. Bedford	ay	
Maryland,	Mr. M'Henry	ay	*
Virginia,	Mr. Madiſon	no	no
	Mr. Bland	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Izard	ay	divided
	Mr. Read	no	

So the queſtion was loſt.

The report being farther debated, and ſome amendments made, the delegates for New-Jerſey laid before Congreſs a repreſentation and remonſtrance of the legiſlative council and general aſſembly of the ſtate of New-Jerſey,

which

which was read, and at the requeſt of the ſaid delegates, was ordered to be entered on the journal, and is as follows:

To the United States in Congreſs Aſſembled.

THE repreſentation and remonſtrance of the legiſlative council and general aſſembly of the ſtate of New-Jerſey, ſheweth,

That the legiſlature of this ſtate is informed, that the important ſubject of the weſtern, or what is commonly called crown lands, is ſoon to be reconſidered and finally determined by Congreſs, eſpecially as far as relates to the ceſſion made by the legiſlature of the ſtate of Virginia, in January, 1781, of a part of the weſtern country or vacant territory.

The legiſlature cannot but expreſs their ſurpriſe on hearing that the conſideration of the ſubject is reſumed by Congreſs ſo ſpeedily after its laſt diſcuſſion, as appears by an act of Congreſs of the eighteenth of April laſt paſt, which is contained in the following words:

"That as a further mean, as well of haſtening the extinguiſhment of the debts, as eſtabliſhing the harmony of the United States, it be recommended to the ſtates, which have paſſed no acts towards complying with the reſolutions of Congreſs of the ſixth of September and tenth of October, 1780, relative to the ceſſion of the territorial claims to make the liberal ceſſions therein recommended, and to the ſtates which may have paſſed acts complying with the ſaid reſolutions, in part only, to reviſe and compleat ſuch compliance."

Which ſaid act has been officially laid before us during the preſent ſitting, and appears deſigned by Congreſs to be tranſmitted to every ſtate in the union, not only to the legiſlatures thereof, but to the people at large: the legiſlature of this ſtate muſt be of opinion, that the latter part of the ſaid recommendation of Congreſs was expreſſly applicable to the act of the legiſlature of the commonwealth of Virginia, as the ceſſion thereby made has heretofore been deemed by Congreſs a partial one, and by this ſtate, partial, unjuſt and illiberal.

The legiſlature, to avoid unneceſſary repetition, beg leave in the moſt earneſt manner to call the attention of Congreſs to the records in their poſſeſſion of the proceedings of the legiſlature of this ſtate with regard to the preſent ſubject, beginning with their repreſentation of the 16th of June, 1778, and at different periods ſince, in which

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are fully contained the juſt and uncontrovertible claims of this ſtate to its full proportion of all vacant territory.

It is particularly diſagreeable to have occaſion to trouble Congreſs with ſo many applications on this head, but the importance of the ſubject, the danger of ſo much property being unjuſtly wreſted from us, together with its being our indiſpenſible duty, in juſtification and defence of the rights of the people we repreſent, muſt be our apology: we cannot be ſilent, while viewing one ſtate aggrandizing herſelf by the unjuſt detention of that property, which has been procured by the common blood and treaſure of the whole, and which on every principle of reaſon and juſtice, is veſted in Congreſs for the uſe and general benefit of the union they repreſent.

They doubt not the diſpoſition of Congreſs to redreſs every grievance that may be laid before them, and are of opinion there can be no greater cauſe for complaint, nor more juſt reaſons for redreſs, than in the preſent caſe.

They do therefore expreſs their diſſatisfaction with the ceſſion of weſtern territory made by the ſtate of Virginia, in January, 1781, as being far ſhort of affording that juſtice which is equally due to the United States at large, and requeſt that Congreſs will not accept of the ſaid ceſſion, but that they will preſs upon the ſaid ſtate to make a more liberal ſurrender of that territory of which they claim ſo boundleſs a proportion.

The legiſlature place the utmoſt confidence in the wiſdom and juſtice of Congreſs, and aſſure themſelves, that as far as it lies in the power of that auguſt body, the union will be ſtrictly maintained.

Council Chamber,
June 14, 1783,
By order of Council,
Wil. Livingſton, preſident.

Houſe of Aſſembly,
June 14, 1783,
By order of the Houſe,
Ephraim Harris, ſpeak.

SATURDAY, JUNE 21, 1783.

Reſolved, That the preſident and ſupreme executive council of Pennſylvania, be informed that the authority of the United States having been this day groſſly inſulted by the diſorderly and menacing appearance of a body of armed ſoldiers about the place within which Congreſs were aſſembled, and the peace of this city being endangered by the mutinous diſpoſition of the ſaid troops now

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in the barracks, it is, in the opinion of Congreſs, neceſſary that effectual meaſures be immediately taken for ſupporting the public authority.

Reſolved, That the committee, on a letter from colonel Butler, be directed to confer, without loſs of time, with the ſupreme executive council of Pennſylvania, on the practicability of carrying the preceding reſolution into effect; and that in caſe it ſhall appear to the committee that there is not a ſatisfactory ground for expecting adequate and prompt exertions of this ſtate for ſupporting the dignity of the fœderal government, the preſident on the advice of the committee be authoriſed and directed to ſummon the members of Congreſs to meet on Thurſday next at Trenton or Princeton, in New-Jerſey, in order that further and more effectual meaſures may be taken for ſuppreſſing the preſent revolt, and maintaining the dignity and authority of the United States.

Reſolved, That the ſecretary at war be directed to communicate to the commander in chief, the ſtate and diſpoſition of the ſaid troops, in order that he may take immediate meaſures to diſpatch to this city ſuch force as he may judge expedient for ſuppreſſing any diſturbances that may enſue.

PRINCETON,

MONDAY, JUNE 30, 1783.

Mr. Ellery and Mr. Arnold, delegates for the ſtate of Rhode-Iſland, attended and produced their credentials, by which it appears, that at the anniverſary election of officers, civil and military, for the ſtate aforeſaid, held on the firſt Wedneſday in May, 1783, the honourable William Ellery, Jonathan Arnold, David Howell, and Henry Merchant, were elected delegates to repreſent the ſaid ſtate in the Congreſs of the United States of America, for one year, and until others ſhall be appointed in their ſtead and appear to take their places.

TUESDAY, JULY 1, 1783.

On the report of a committee, conſiſting of Mr. Hamilton, Mr. Ellſworth, and Mr. Bland, to whom was referred a motion of Mr. Hamilton;

Reſolved,

Resolved, That major general Howe be directed to march such part of the force under his command, as he shall judge necessary to the state of Pennsylvania, in order that immediate measures may be taken to confine and bring to trial all such persons belonging to the army as have been principally active in the late mutiny, to disarm the remainder, and to examine fully into all the circumstances relating thereto.

That in the execution of the foregoing resolution, if any matters shall arise which may concern the civil jurisdiction, or in which its aid may be necessary, application be made for the same to the executive authority of the state.

That the executive of Pennsylvania be informed of the foregoing resolutions, and requested to afford their assistance whensoever the same shall be required.

The committee, consisting of Mr. Hamilton, Mr. Ellsworth, and Mr. Peters, to whom were referred a letter of the 17th June, from colonel R. Butler, at Lancaster, and sundry papers communicated to Congress by the executive council of Pennsylvania, through their delegates, having on the 19th of June made a verbal report, and on the 20th of the same month, a report in writing, and the written report being on the 30th recommitted, that they might amend it, by adding thereto their verbal report, and the report being this day brought in with the amendment:

Ordered, That it be entered on the journal.

The REPORT is as follows:

The committee to whom were referred the letters and papers communicated to Congress by the executive council of Pennsylvania, through their delegates, report,

That they had a conference yesterday, as directed, with the supreme executive council, in which, in the first instance, the propriety of calling out a detachment of militia to intercept the mutineers on their march from Lancaster, was proposed to the council, suggesting the danger of their being suffered with impunity to join the troops in the barracks, who a few days before had manifested a dangerous spirit by an insolent and threatning message sent to Congress in the name of a board of serjeants, and who, it was apprehended, would be ready to make common cause with those on their march for mutinous purposes. That the council having shewn a re-

luctance to call out any part of the militia, expreſſing an opinion that they would not be willing to act, till ſome outrage ſhould have been committed by the troops: there appeared to the committee no alternative but to endeavour to diſſuade the mutineers from coming to town, and if they failed in that attempt, to make uſe of expedients to prevent the troops in the barracks from joining in any exceſſes, and to induce the detachment from Lancaſter to return to that place. That in this view, and at their deſire, the aſſiſtant ſecretary at war met the detachment then on its march to the city, and endeavoured to engage them to return to the former place, urging the conſiderations contained in the annexed inſtructions to him, but the ſaid detachment perſiſted in their intention of coming to this city, and arrived here this morning. That upon conferring with the ſuperintendant of finance, they find there is a probability that the paymaſter general, to whom the ſettlement of the accounts of the army has been committed, and who having all the documents in his poſſeſſion, can alone execute the buſineſs with propriety, will ſhortly arrive from the army, and will immediately enter upon a ſettlement with the troops in this ſtate; that in the mean time meaſures will be taken to prepare the buſineſs for a final adjuſtment. That there will immediately be ſent to Lancaſter, a ſum of money to be paid to the troops on account of the month's pay heretofore directed to be advanced to them, the payment of which has hitherto been delayed by particular circumſtances, together with notes for three months pay, intended to be advanced to the men when furloughed. That they have deſired this information to be tranſmitted to the commanding officer here, and at Lancaſter, with this declaration, that the corps ſtationed at Lancaſter, including the detachment, can only be ſettled with or paid at that place.

The INSTRUCTIONS to Major JACKSON.

SIR,

INFORMATION having been received, that a detachment of about eighty mutineers, are on their way from Lancaſter to this place, you will pleaſe to proceed to meet them, and to endeavour by every prudent method to engage them to return to the poſt they have left. You will inform them of the orders that have been given, permitting them to remain in ſervice till their accounts ſhall have

have been ſettled, if they prefer it to being furloughed, and of the allowance of pay which has been made to the army at large, and in which they are to be included. You will repreſent to them, that their accounts cannot be ſettled without their officers, whom they have left behind them at Lancaſter. You will repreſent to them with coolneſs but energy, the impropriety of ſuch irregular proceedings, and the danger they will run by perſiſting in an improper conduct. You will aſſure them of the beſt intentions in Congreſs to do them juſtice, and of the abſurdity of their expecting to procure it more effectually by intemperate proceedings. You will point out to them the tendency which ſuch proceedings may have to raiſe the reſentments of their country, and to indiſpoſe it to take effectual meaſures for their relief. In ſhort, you will urge every conſideration in your power to induce them to return, at the ſame time avoiding whatever may tend to irritate. If they perſiſt in coming to town, you will give the earlieſt notice to us of their progreſs and diſpoſition. Should they want proviſions, you will aſſure them of a ſupply, if they will remain where they are, which you are to endeavour to perſuade them to do, in preference to coming to town.

I am, Sir, your moſt obedient Servant,

A. HAMILTON, *in behalf of the Committee.*

Philadelphia, June 19, 1783.

Major Jackſon, aſſiſt. ſecretary at war.

The committee, conſiſting of Mr. Hamilton and Mr. Ellſworth, appointed on the 21ſt June, to confer with the ſupreme executive council of Pennſylvania, on the practicability of taking effectual meaſures to ſupport the public authority, having delivered in a report:

Ordered, That it be entered on the journal.

The REPORT is as follows:

"The committee appointed to confer with the ſupreme executive council of Pennſylvania, on the practicability of taking effectual meaſures to ſupport the public authority, in conſequence of the diſorderly and menacing appearance of a body of armed ſoldiers ſurrounding the place where Congreſs were aſſembled, on Saturday the 21ſt inſtant, beg leave to report;

That they had a conference the morning following with the ſupreme executive council, agreeably to the intention of Congreſs, and having communicated their reſolution on that ſubject, informed the council, that Congreſs conſidered

ſidered the proceeding on which that reſolution was founded, of ſo ſerious a nature, as to render palliatives improper, and to require that vigorous meaſures ſhould be taken to put a ſtop to the further progreſs of the evil, and to compel ſubmiſſion on the part of the offenders. That in this view they had thought it expedient to declare to the executive of the ſtate in which they reſide, the neceſſity of taking effectual meaſures for ſupporting the public authority. That though they had declined a ſpecification of the meaſures which they would deem effectual, it was their ſenſe, that a number of the militia ſhould be immediately called out, ſufficient to ſuppreſs the revolt. That Congreſs unwilling to expoſe the United States to a repetition of the inſult, had ſuſpended their ordinary deliberations in this city, till proper ſteps could be taken to provide againſt the poſſibility of it.

The council, after ſome converſation, informed the committee, that they would wiſh, previous to a determination, to aſcertain the ſtate and diſpoſition of the militia, and to conſult the officers for that purpoſe.

The day following the committee waited upon the council for their final reſolution, having previouſly preſented a letter addreſſed to his excellency the preſident, of which a copy is annexed, requeſting the determination of the council in writing.

The council declined a written anſwer, alledging that it had been unuſual on ſimilar occaſions; that they were unwilling to do any thing which might appear an innovation in the manner of conducting conferences between their body and committees of Congreſs; adding, however, that they were ready to give their anſwer in writing, if Congreſs ſhould requeſt it. They then proceeded to a verbal anſwer, in ſubſtance as follows:

That the council had a high reſpect for the repreſentative ſovereignty of the United States, and were diſpoſed to do every thing in their power to ſupport its dignity. That they regretted the inſult which had happened, with this additional motive of ſenſibility, that they had themſelves had a principal ſhare in it. That they had conſulted a number of well informed officers of the militia, and found that nothing in the preſent ſtate of things was to be expected from that quarter. That the militia of the city in general, were not only ill provided for ſervice, but diſinclined to act upon the preſent occaſion. That the council did not believe any exertions were to be look-

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ed for from them, except in caſe of further outrage and actual violence to perſon or property. That in ſuch caſe a reſpectable body of citizens would arm for the ſecurity of their property and of the public peace; but it was to be doubted what meaſure of outrage would produce this effect; and in particular, it was not to be expected merely from a repetition of the inſult which had happened.

The council obſerved that they thought it their duty to communicate their expectations with candour, and paſſed from the ſubject of the practicability of vigorous meaſures to the policy of them. They ſtated, that general St. Clair, with the approbation of ſeveral members of Congreſs and of council, had, by a declaration in writing, permitted the mutineers to chuſe a committee of commiſſioned officers to repreſent their grievances to council, and had authoriſed them to expect that a conference would be allowed for that purpoſe. That it was ſaid the mutineers began to be convinced of their error and were preparing ſubmiſſions. That from the ſteps which had been taken the buſineſs ſeemed to be in a train of negociation, and that it merited conſideration, how far it would be prudent to terminate the matter in that way rather than employ coercive means.

The committee remarked, with reſpect to the ſcruple about giving an anſwer in writing, that they could not forbear differing in opinion as to its propriety. That nothing was more common than written communications between the executives of the different ſtates and the civil and military officers acting under the authority of the United States: that for a much ſtronger reaſon there was a propriety in this mode of tranſacting buſineſs between the council and a committee of the body of Congreſs. That indeed it would be conformable to the moſt obvious and cuſtomary rules of proceeding, and that the importance of the preſent occaſion made it deſirable to give every tranſaction the greateſt preciſion.

With reſpect to the practicability of employing the militia, the committee obſerved, that this was a point of which the council was alone competent to judge. That the duty of the committee was performed in explicitly ſignifying the expectations of Congreſs.

And with reſpect to the policy of coertion, the committee remarked, that the meaſures taken by Congreſs clearly indicated their opinion, that the exceſſes of the mutineers

tineers had paſſed the bounds within which a ſpirit of compromiſe might conſiſt with the dignity, and even the ſafety of government. That impunity for what had happened might encourage to more flagrant proceedings, invite others to follow the example and extend the miſchief. That the paſſiveneſs of conduct obſerved towards the detachment which had mutinied at Lancaſter, and come to the city in defiance of their officers, had, no doubt, led to the ſubſequent violences. That theſe conſiderations had determined Congreſs to adopt deciſive meaſures. That beſides the application to the ſtate in which they reſide, for its immediate ſupport, they had not neglected other means of ultimately executing their purpoſe, but had directed the commander in chief to march a detachment of troops towards the city. That whatever moderation it might be prudent to exerciſe towards the mutineers, when they were once in the power of government, it was neceſſary, in the firſt inſtance, to place them in that ſituation. That Congreſs would probably continue to purſue this object unleſs it ſhould be ſuperceded by unequivocal demonſtrations of ſubmiſſion on the part of the mutineers. That they had hitherto given no ſatisfactory evidence of this diſpoſition, having lately preſented the officers they had choſen to repreſent their grievances, with a formal commiſſion in writing, enjoining them, if neceſſary, to uſe compulſory means for redreſs, and menacing them with death, in caſe of their failing to execute their views.

Under this ſtate of things the committee could not forbear ſuggeſting to the council, that it would be expedient for them ſo to qualify the reception which they ſhould think proper to give to any propoſitions made by the mutineers, as not to create embarraſſment, ſhould Congreſs continue to act on the principle of coertion.

The committee finding that there was no ſatisfactory ground to expect prompt and adequate exertions on the part of the executive of this ſtate, for ſupporting the public authority, were bound by the reſolution under which they acted, to adviſe the preſident to ſummon Congreſs to aſſemble at Princeton or Trenton on Thurſday the 26th inſtant.

Willing however to protract the departure of Congreſs as long as they could be juſtified in doing it, ſtill hoping that further information would produce more deciſive

meaſures

measures on the part of the council, and desirous of seeing what complexion the intimated submissions would assume, they ventured to defer advising the removal till the afternoon of the day following, that on which the answer of council was given. But having then received no further communications from the council, and having learnt from general St. Clair, that the submissions proposed to be offered by the mutineers, through the officers they had chosen to represent them, were not of a nature sufficiently explicit to be accepted or relied on—That they would be accompanied by new demands, to which it would be improper to listen; that the officers themselves composing the committee had shewn a mysterious reluctance to inform general St. Clair of their proceedings, had refused, in the first instance to do it, and had afterwards only yielded to a preremptory demand on his part—The committee could no longer think themselves at liberty to delay their advice for an adjournment, which they this day accordingly gave; persuaded at the same time, that it was necessary to impress the mutineers with a conviction, that extremities would be used against them before they would be induced to resolve on a final and unreserved submission.

Philadelphia, June 24th, 1783.

The Letter to His Excellency the President of the Supreme Executive Council of Pennsylvania.

SIR,

We have the honor to enclose for your excellency and the council, a copy of the resolutions communicated in our conference yesterday. Having then fully entered into all the explanations which were necessary on the subject, we shall not trouble your excellency with a recapitulation; but as the object is of a delicate and important nature, we think it our duty to request the determination of the council in writing.

We have the honor to be, with perfect respect, your excellency's most obedient servants.

Philadelphia, June 23, 1783.

WEDNESDAY, JULY 2, 1783.

On motion of Mr. Hamilton, seconded by Mr. Madison.

Whereas

Whereas by the confederation, the aſſent of nine ſtates is requiſite to the determination of matters of principal importance to the United States, and the repreſentation in Congreſs has for ſome time paſt generally conſiſted of leſs than that number of ſtates, in conſequence thereof, the public buſineſs, at an intereſting juncture, has ſuffered and continues to ſuffer great delay and embarraſſment:

Reſolved, That the ſtates which are not preſent in Congreſs, be informed that it is indiſpenſible they ſhould without loſs of time, ſend forward a delegation to Congreſs.

A letter of the 24th June, from his excellency W. Livingſton, governor of the ſtate of New-Jerſey, was read; whereupon,

Reſolved, That the preſident inform his excellency the governor of New-Jerſey, that Congreſs entertain a high ſenſe of the ſpirit and attachment of the citizens of New-Jerſey to the fœderal union, and of the ſentiments expreſſed by his excellency; and are happy that events have rendered the call of the citizens into ſervice unneceſſary.

An addreſs of the governors and maſters of the college, was read, offering to Congreſs the uſe of the hall, library room and every other convenience that the college in its preſent ſituation can afford; whereupon,

Reſolved, That the preſident inform the governors and maſters of the college, that Congreſs entertain a proper ſenſe of their obliging offer, and accept the uſe of ſuch parts of the college as are immediately neceſſary for their ſeſſion, and for the officers attending them during their ſtay at Princeton.

A letter of the 25th June, from the honorable John Cox, vice-preſident of the council of New-Jerſey, was read, accompanied with certain reſolves entered into by the inhabitants of Trenton; whereupon,

Reſolved, That the preſident inform Mr. Cox, that Congreſs entertain juſt ſentiments of the reſpectful manner in which the inhabitants of Trenton and its vicinity expreſs themſelves in their reſolves of the 24th of June laſt, with regard to Congreſs.

That Congreſs highly applaud the proper reſentment the citizens of Trenton and its vicinity have diſcovered againſt diſturbers of the public peace and violators of the dignity of the union.

FRIDAY,

FRIDAY, JULY 4, 1783.

Certain reſolutions paſſed by the inhabitants of Princeton and its vicinity, being laid before Congreſs and read.

Reſolved, That Congreſs highly applaud the reſolutions of the inhabitants of Princeton and its vicinity, to ſupport order and good government; that Congreſs entertain a proper ſenſe of their affectionate and reſpectful expreſſions, and are obliged by their exertions to accommodate the repreſentatives of the United States.

On a report of the ſuperintendant made purſuant to the order of the 20th of June laſt:

Reſolved, That the paymaſter general be, and he is hereby fully authoriſed and empowered to ſettle and finally adjuſt all accounts whatſoever, between the United States, and the officers and ſoldiers of the American army, ſo as to include all and every demand which they or either of them, may have by virtue of the ſeveral reſolutions and acts of Congreſs relating thereto. And that the ſaid paymaſter do give certificates of the ſums which may appear due on ſuch ſettlements in the form and manner which the ſuperintendant of the finances of the United States may direct: provided always, that the certificates to the officers ſhall be delayed for a reaſonable time, to obtain returns of payments or advances to them by the ſtates, or public departments, where in the opinion of the paymaſter general, ſuch delay ſhall be neceſſary.

WEDNESDAY, JULY 9, 1783.

A motion was made by Mr. Higgenſon, ſeconded by Mr. Holton,

"That the ſuperintendant of finance do direct the receiver of continental taxes in the ſtate of Maſſachuſetts, to pay to the officers and ſoldiers of the Maſſachuſetts line of the army, who have been diſcharged on furlough, the amount of one year's pay, out of the monies he may receive from that ſtate, on account of the requiſition for the expences of the year 1782."

A motion was then made by Mr. Williamſon, ſeconded by Mr. Clarke,

That the foregoing motion be committed: And on the queſtion for a committment, the yeas and nays being required by Mr. Higgenſon.

Maſſachuſetts,	Mr. Holten	no	no
	Mr. Higgenſon	no	
Rhode-Iſland,	Mr. Ellery	ay	ay
	Mr. Arnold	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Fitzſimmons	no	divided
	Mr. Montgomery	ay	
Delaware,	Mr. M'Comb	ay	ay
	Mr. Bedford	ay	
Virginia,	Mr. Bland	ay	*
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Izard	ay	ay
	Mr. Read	ay	

So the queſtion was loſt.

After ſome further debate, an adjournment was called for, and agreed to.

THURSDAY, JULY 10, 1783.

Congreſs reſumed the conſideration of the motion of Mr. Higgenſon, which was under debate yeſterday; and thereupon,

Ordered, That the ſaid motion be referred to a committee of three.

FRIDAY, JULY 11, 1783.

Congreſs took into conſideration the report of the committee conſiſting of Mr. Bland, Mr. Fitzſimmons, and Mr. Higgenſon, to whom was referred the motion of Mr. Higgenſon, and the ſame being read as follows.

Whereas it has been repreſented to Congreſs, that the officers and ſoldiers of the Maſſachuſetts line, who have lately retired on furlough, have not received the pay which was formerly directed; and whereas it is the wiſh of Congreſs to do equal juſtice to all the officers and ſoldiers of the continental army; therefore

Reſolved, That the ſuperintendant of finance be, and he is hereby directed to complete without delay, the ſame payments

payments to the officers and ſoldiers of the Maſſachuſetts line, which were ordered to be paid to the army at large.

Reſolved, That the ſuperintendant of finance, be directed immediately to order the receivers of the continental revenue in each ſtate, to receive the notes iſſued by his order for the payment of the army, whether ſigned by himſelf or Michael Hillegas, treaſurer, payable in one, two, three, four, five, or ſix months, in diſcharge of the requiſition for eight million of dollars, for the expence of the year 1782, and that he immediately publiſh the ſaid order in all the newſpapers in the ſeveral ſtates."

A motion was made by Mr. Holten, ſeconded by Mr. Higgenſon, to poſtpone the conſideration of the report, in order again to take up the original motion, as entered on the journal the 9th inſtant. And on the queſtion for poſtponing, the yeas and nays being required by Mr. Holton.

Maſſachuſetts,	Mr. Holten	*ay*	*ay*
	Mr. Higgenſon	*ay*	
Rhode-Iſland,	Mr. Ellery	*ay*	*ay*
	Mr. Arnold	*ay*	
Connecticut,	Mr. Ellſworth	*no*	*
New-Jerſey,	Mr. Boudinot	*no*	*no*
	Mr. Clark	*no*	
	Mr. Condict	*no*	
Pennſylvania,	Mr. Fitzſimmons	*no*	*no*
	Mr. Montgomery	*no*	
Delaware,	Mr. M'Comb	*no*	*no*
	Mr. Bedford	*no*	
Virginia,	Mr. Bland	*no*	*no*
	Mr. Mercer	*no*	
North-Carolina,	Mr. Hawkins	*no*	*no*
	Mr. Williamſon	*no*	
South-Carolina,	Mr. Izard	*no*	*no*
	Mr. Read	*no*	

So the queſtion was loſt.

The report was then taken into farther conſideration, and the following reſolution agreed to.

Whereas it has been repreſented to Congreſs, that the officers and ſoldiers of the Maſſachuſetts line, who have lately retired on furlough, have not received the pay which

which was formerly directed: And whereas it is the wiſh of Congreſs to do equal juſtice to all the officers and ſoldiers of the continental army;

Reſolved unanimouſly, That the ſuperintendant of finance be, and he is hereby directed to complete without delay, the ſame payments to the officers and ſoldiers of the Maſſachuſetts line, which were ordered to be paid to the army at large.

The laſt paragraph of the report being under debate, and the ſame having been amended,

Ordered, That it be referred to the ſuperintendant of finance to report, and that he be directed to report immediately what meaſures he has taken relative to the pay of the army.

On motion of Mr. Higgenſon, ſeconded by Mr. Holten,

Reſolved, That the ſuperintendant of finance be directed to report to Congreſs, the reaſons why the troops lately furloughed, did not receive part of their pay previous thereto, agreeably to the intention of Congreſs; and alſo to report the meaſures by which he expects to redeem the notes he has iſſued, or may hereafter iſſue to the troops which have been, or may be furloughed under the reſolution of the 26th day of May laſt.

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On motion of Mr. Williamſon, ſeconded by Mr. Ellſworth, Congreſs came to the following reſolution.

One of the delegates from Pennſylvania having read in his place, a letter from the ſupreme executive council of that ſtate, complaining of an ambignity in part of the report of a committee which was entered on the journal on the 1ſt inſtant, in the following words: "That they (the executive council) regretted the inſult which had happened, with this additional motive of ſenſibility, that they had themſelves had a principal ſhare in it."

Reſolved, That Congreſs do not conceive the committee had the moſt diſtant intention to inſinuate that the executive council had any ſhare in promoting the inſult which was offered to Congreſs by the mutinous troops, but that the executive council had ſhared with Congreſs in receiving the inſult.

WEDNESDAY,

WEDNESDAY, JULY 16, 1783.

Mr. Duane, a delegate from the ſtate of New-York, and Mr. A. Lee, a delegate from the ſtate of Virginia, attended and took their ſeats in Congreſs.

The agent of marine, to whom was referred a letter of the 20th of June laſt, from the governor of Virginia to the delegates of that ſtate, having reported,

That the ſervices rendered by Meſſrs. Cowper and Ballard, were previous to the requiſitions for the ſervice of 1782 and 1783, ſo that no monies now in the treaſury can properly be applied to the payment of what thoſe ſervices may on a proper inveſtigation appear to be really worth. That the commiſſioner appointed to ſettle the accounts of the United States in Virginia, is authorized to adjuſt the value of ſervices rendered by the citizens thereof to the United States, at the time and place where they were rendered, according to the principles of equity; an authority which is veſted in him completely and excluſively. That therefore, Meſſrs. Cowper and Ballard, muſt apply to the ſaid commiſſioner, who, if he ſhould find the United States to be in their debt, will give them certificates like to thoſe which are given to other creditors of the ſaid States, and will tranſmit ſuch materials to the commiſſioner for ſettling the accounts of the marine department, as will enable him to make proper charges in thoſe accounts.

Reſolved, That Congreſs agree to the ſaid report.

On the report of a committee conſiſting of Mr. Williamſon, Mr. Maddiſon and Mr. Read, to whom was referred a letter of the 23d June, from the commander in chief, encloſing a copy of his correſpondence with the commiſſioners for ſuperintending the embarkations at New-York:

Reſolved, That the commander in chief be inſtructed, to recal the commiſſioners who have been appointed to ſuperintend the embarkations at New-York, unleſs ſome change of circumſtances ſhall have occurred, from which he may conclude that their further continuance in New-York may be productive of ſome advantage to the citizens of the United States.

On motion of Mr. Williamſon, ſeconded by Mr. Holten,

Reſolved,

Reſolved, That whenever the preſident ſhall be obliged to adjourn Congreſs, from the want of ſeven ſtates, an entry ſhall be made in the daily journal of the ſtates preſent, and of the names of the individual members preſent from the ſtates unrepreſented.

FRIDAY, JULY 18, 1783.

An addreſs from the magiſtrates, militia officers, and citizens of the town of New-Ark, ſigned by W. Burnet, eſquire, chairman, having been read.

Reſolved, That the preſident inform Mr. Burnet, that Congreſs entertain a high ſenſe, of the ſpirit and patriotiſm of the magiſtrates, militia officers, and citizens of the town of New-Ark, applaud their zeal for good order, and the ſecurity and honor of the federal government, and are obliged by their diſpoſition to render the reſidence of Congreſs in the ſtate, as agreeable as poſſible.

On the report of a committee conſiſting of Mr. Read, Mr. Ellery and Mr. M'Henry, to whom was referred a letter of the 23d June, from the commander in chief, enclоſing the copy of a letter from Mr. Reuben Harvey, merchant in Cork, in the kingdom of Ireland, and other papers.

Reſolved, That his excellency the commander in chief, be requeſted to tranſmit the thanks of Congreſs to Mr. Reuben Harvey, merchant in Cork, in the kingdom of Ireland, and expreſs the juſt ſenſe Congreſs entertain of the ſervices he has rendered during the late war, to American priſoners.

Adjourned to ten, o'clock on Tueſday.

TUESDAY, JULY 22, 1783.

Six ſtates only attended, namely, Maſſachuſetts, New-York, New-Jerſey, Pennſylvania, Virginia, and North-Carolina; and from the ſtate of Maryland, Mr. M'Henry, from the ſtate of South-Carolina, Mr. Izard.

WEDNESDAY, JULY 23, 1783.

Mr. Howell, a delegate from the ſtate of Rhode-Iſland, attended, and took his ſeat in Congreſs.

On

On the report of a committee, conſiſting of Mr. Peters, Mr. Clarke and Mr. Higgenſon, to whom was refered a report of the ſuperintendant of finance, on a petition of Mrs. Grace Mercer:

Ordered, That the ſuperintendant of finance, tranſmit to the commiſſioner for ſettling the accounts of the hoſpital department, a copy of the memorial of Mrs. Grace Mercer, and in the ſettlement of the accounts of the late Mr. Mercer, due enquiry be made by the ſaid commiſſioner, into the cauſes of the detention of the money therein mentioned; and that the ſaid commiſſioner report the reſult of ſuch enquiry to the ſuperintendant of finance, who is hereby authorized to take order therein as ſhall appear to him juſt, on ſuch report being made.

On motion, *Ordered*, That the committee of five members appointed laſt January, to enquire into the proceedings of the department of foreign affairs, be diſcharged; they having aſſigned ſatisfactory reaſons for not reporting.

THURSDAY, JULY 24, 1783.

Six ſtates only attended, namely, Maſſachuſetts, Rhode-Iſland, New-Jerſey, Pennſylvania, Virginia and North-Carolina; and from the ſtate of New-York, Mr. Duane, from the ſtate of South-Carolina, Mr. Izard.

FRIDAY, JULY 25, 1783.

Six ſtates only attended, namely, Maſſachuſetts, Rhode-Iſland, New-Jerſey, Pennſylvania, Virginia and North-Carolina, and from the ſtate of New-York, Mr. Duane, from Delaware, Mr. M'Comb, from Maryland, Mr. M'Henry, and from the ſtate of South-Carolina, Mr. Izard.

SATURDAY, JULY 26, 1783.

An addreſs from the officers of the three battalions of militia of Hunterdon, Middleſex and Somerſet, moſt contiguous to Princeton, being read.

Reſolved, That the preſident inform the officers of militia of Hunterdon, Middleſex and Somerſet, that Congreſs

greſs have received with much ſatisfaction, their reſpectful and affectionate addreſs, and highly approve of the patriotic ſentiments contained in the reſolutions with which it is accompanied.

MONDAY, JULY 28, 1783.

An addreſs from the citizens of Philadelphia, and the liberties thereof, having been received and read.

Reſolved, That the preſident inform the citizens of Philadelphia, and its liberties, in anſwer to their reſpectful and affectionate addreſs, that the United States in Congreſs aſſembled, have great ſatisfaction in reviewing the ſpirited and patriotic exertions which have been made by the government and citizens of Pennſylvania, in the courſe of the late glorious war; and that they are highly pleaſed with the reſolution expreſſed by the citizens of Philadelphia, to aid in all meaſures which may have a tendency to ſupport the national honor and dignity.

On motion, *Reſolved*, That the preſident inform the commander in chief, that his attendance at Congreſs is requeſted as ſoon as may be convenient, after his return from the northward.

On the report of a committee conſiſting of Mr. Higgenſon, Mr. Ellery and Mr. Williamſon, to whom was referred a letter of the 14th inſtant, from the ſupreme executive council of Pennſylvania, together with all the letters received from them ſince the 21ſt of June, and alſo a letter of the 13th inſtant, from major general R. Howe.

Reſolved, That though Congreſs are diſpoſed to extend every poſſible mark of clemency which may conſiſt with the honor of government and ſafety of the public, to thoſe troops who were concerned in the late mutiny, they cannot take any final reſolutions on that ſubject, till the commanding officer ſhall have finiſhed the trials and enquiries now begun.

Reſolved, That Congreſs have no objection to furloughs being granted to any of the ſoldiers concerned in the late mutiny, who are not ſuppoſed to have been particularly active or inſtrumental in the ſame, or whoſe evidence is not ſuppoſed to be important towards convicting the chief offenders.

Reſolved,

Resolved, That as the act of the 26th of May last, by which the troops that were discharged or furloughed, were to be permitted to carry home their arms, originated in the high degree of confidence which Congress have ever had occasion to place in the patriotism, and good disposition of the army, the soldiers concerned in the late mutiny having evinced that they are not entitled to such confidence, cannot be permitted to take their arms.

Resolved, That such of the troops lately detached under the command of major general Howe, as may not longer be necessary for effecting the services on which they were detached, be sent back to the main army.

On a letter of the 28th from the secretary at war:

Resolved, That such officers of the army of the United States, as were prisoners of war, in the months of February, March and April last, be considered as being within the spirit and intention of the act of Congress of the 2d of May last, which directs an advance of part of the pay due to the army.

TUESDAY, JULY 29, 1783.

Mr. Abiel Foster, a delegate for the state of New-Hampshire, attended and produced his credentials, by which it appears, that on the 18th day of February last, he was appointed a delegate to represent that state for one year, from the date, unless sooner relieved, or recalled by the general assembly of the state.

Mr. S. Huntington and Mr. B. Huntington, delegates for the state of Connecticut, attended and took their seats in Congress.

Congress took into consideration a treaty of amity and commerce concluded between the king of Sweden, and the United States of America, signed at Paris on the third day of April last, and the same was adopted and ratified, nine states being present, in the manner following.

The UNITED STATES of America in Congress assembled.

To all who shall see these presents greeting.

WHEREAS by our commission dated at Philadelphia, on the twenty eighth day of September 1782, the

honorable Benjamin Franklin, was inveſted with full powers on the part of the United States of America, to concert and conclude, with a perſon or perſons equally empowered on the part of his majeſty the king of Sweden, a treaty of amity and commerce, having for its baſis the the moſt perfect equality, and for its object the mutual advantage of the parties, we promiſing in good faith to ratify whatever ſhould be tranſacted by virtue of the ſaid commiſſion; and whereas our ſaid miniſter in purſuance of his full powers, did at Paris, on the third day of April, in the year of our Lord one thouſand ſeven hundred and eighty three, with count Guſtavus, Philip De Creutz, miniſter plenipotentiary named for that purpoſe, on the part of his majeſty the king of Sweden, conclude and ſign a treaty of amity and commerce in the words following, to wit.

TRAITE d'Amitié et de Commerce conclu entre ſa Majeſté le Roi de Suede et les Etats Unis de l'Amerique Septentrionale.

LE Roi de Suede des Goths et des Vandales, &c.&c &c. Et les treize Etats Unis de l'Amerique Septentrionale, ſçavoir, New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland, Connecticut, New-York, New-Jerſey, Pennſylvania, les Comtés de New-Caſtle, de Kent et de Suſſex ſur la Delaware, Maryland, Virginia, Caroline Septentrionale, Caroline Meridionale, et Georgie, deſirant d'etablir d'une maniere ſtable et permanente les regles qui doivent être ſuivies relativement à la correſpondance et au commerce que les deux parties ont jugé neceſſaire de fixer entre leurs pays, états et ſujets reſpectifs, ſa Majeſté et les Etats Unis ont cru ne pouvoir mieux remplir ce but qu'en poſant pour baſe de leurs arrangemens, l'utilite et l'avantage reciproques des deux nations, en evitants toutes les preferences onereuſes qui ſont ordinairement une ſource de diſcuſſions, d'embarras et de mècontentements; et en laiſſant à chaque partie la liberté de faire au ſujet du commerce et de la navigation, les reglemens interieurs qui ſeront à ſa convenance.

Dans

Dans cette vue ſa Majeſté le Roi de Suede a nommé et conſtitué pour ſon plenipotentiaire le Compte Guſtave Philippe de Creutz, ſon ambaſſadeur extraordinaire prés ſa Majeſté, tres Chretienne et chevalier commandeur de ſes ordres; et les Etats Unis ont de leur côté pourvu des leurs pleins pouvoirs le Sr. Benjamin Franklin, leur miniſtre plenipotentiaire prés ſa Majeſté très Chretienne; les quels plenipotentiaires aprés avoir echange leurs pleins pouvoirs et en conſequence d'une mure deliberation ont arêté, conclu et ſigné les articles ſuivants,

ART. 1. Il y aura une paix ferme, inviolable et univerſelle et une amitié vraie et ſincere entre le Roi de Suede, ſes heretiers et ſucceſſeurs, et entre les Etats Unis de l'Amerique, ainſi qu' entre les ſujets de ſa Majeſté et ceux des dits états comme auſſi entre les pays, iſles, villes et places, ſituées ſous la juriſdiction du Roi et des dits Etats Unis, ſans exception aucune de perſonnes et de lieux; les conditions ſtipulés dans ce préſent traité devant être perpetuelles et permanentes entre le Roi, ſes heritiers et ſucceſſeurs et les dits Etats Unis.

ART. 2. Le Roi et les Etats Unis, s'engagent mutuellement à n'accorder par la ſuite aucune faveur particuliere en fait de commerce et de navigation à d'autres nations qui ne devienne auſſitôt commune à l'autre partie; et celle cy jouira de cette faveur gratuitement ſi la conceſſion eſt gratuite; ou en accordant la même compenſation ſi la conceſſion eſt conditionelle.

ART. 3. Les ſujets du Roi de Suede ne payeront dans les ports, havres, rades, contrées, iſles, villes et places des Etats Unis, ou dans aucun d'iceux, d'autres ne de plus grands droits et impôts de quelque nature qu'ils puiſſent être que ceux que les nations les plus favoriſées ſont ou ſeront tenues de payer; et ils jouiront de tous les droits, libertés, privileges, immunités et exemptions en fait de negoce, navigation et de commerce dont joniſſent ou jouiront les dites nations, ſoit en paſſant d'un port à l'autre des dits états, ſoit en y allant ou en revenant de quelque partie ou pour quelque partie du monde que ce ſoit.

ART.

ART. 4. Les ſujets et habitants des dits Etats Unis ne payeront dans les ports, havres, radés, iſles, villes et places de la domination du Roi de Suede, d'autres ni de plus grands droits ou impôts, de quelque nature qu'ils puiſſent être et quelque nom qu'ils puiſſent avoir, que ceux que les nations les plus favoriſées ſont ou ſeront tenûes de payer; et ils jouiront de tous les droits, libertés, privileges, immunités et exemptions en fait de negoce, navigation et commerce dont jouiſſent ou jouiront les dites nations, ſoit en paſſant d'un port à un autre de la domination de ſa dite Majeſté, ſoit en y allant ou en revenant de quelque partie du monde ou pour quelque partie du monde que ce ſoit.

ART. 5. Il ſera accordé une pleine, parfaite et entiere liberté de conſcience aux habitants et ſujets de chaque partie, et perſonne ne ſera moleſté à l'egard de ſon culte, moyennant qu'il ſe ſoumette, quant à la demonſtration publique aux loix du pays. De plus on permettra aux habitans et ſujets de chaque partie, qui decedent dans le territoire de l'autre partie, d'être enterrés dans les endroits convenables et decents qui ſeront aſſignés à cet effet, et les deux puiſſances contractantes pourvoiront chacun dans ſa juriſdiction, à ce que les ſujets et habitants reſpectifs puiſſent obteuir les certificats de mort en cas qu'il ſoit requis de les livrer.

ART. 6. Les ſujets des parties contractantes pourront dans les états reſpectifs diſpoſer librement de leurs fonds et biens, ſoit par teſtament, donation ou autrement en faveur de telles perſonnes que bon leur ſemblera, et leurs heritiers dans quelque endroit où ils demeureront, pourront recevoir ces ſucceſſions, même ab inteſtato, ſoit en perſonne, ſoit par un procureur, ſans qu'ils ayent beſoin d'obteuir des lettres de naturaliſation. Ces heritages, auſſi bien que les capitaux et fonds que les ſujets des deux parties, en changeant de demeure, voudront faire ſortir de l'endroit de leur domicile, ſeront exemts de tout droit de detraction, de la part du gouvernement des deux etats reſpectifs. Mais il eſt convenu en même tems, que le contenu de cet article ne derogera en aucune maniere aux ordonnances

ordonnances promulguées en Suede contre les emigrations ou qui pourront par la ſuite être promulguées, les quelles demeureront dans tout leur force et vigueur. Les Etats Unis de leur côté ou aucune d'entre eux ſeront libres de ſtatuer ſur cette matiere telle loi qu'ils jugeront à propos.

ART. 7. Il ſera permis à tous et chacun de ſujets habitans du royaume de Suede, ainſi qú à ceux des Etats Unis de naviguer avec leurs bâtimens en toute ſureté et liberté et ſans diſtinction de ceux à qui les marchandiſes et leurs chargements appartiendront, de quelque port que ce ſoit. Il ſera permis également aux ſujets et habitans des deux états de naviguer et de negocier avec leurs vaiſſeaux et marchandiſes et de frequenter avec la même liberté et ſureté, les places, ports et havres des puiſſances enemies des deux parties contractantes, ou de l'une d'elles, ſans être aucunement inquietés ni troublés et de faire le commerce non ſeulement directement des ports de l'ennemi à un port neutre, mais encore d'un port ennemi à un autre port ennemi ſoit qu'il ſe trouve ſous la juriſdiction d'un même ou de differents princes. Et comme il eſt reçu par le preſent traité par rapport aux navires et aux marchandiſes, que les vaiſſeaux libres rendront les marchandiſes libres, et qu'on regardera comme libre tout ce qui ſera abord des navires appartenants aux ſujets d'une ou de l'autre des parties contractantes, quand même le chargement ou partie d'icelui appartiendroit aux ennemis de l'un des deux, bien entendu néanmoins que les marchandiſes de contrebande ſeront toujours exceptées, les quelles étant interceptés, il ſera procedé conformement à l'eſprit des articles ſuivants. Il eſt également convenu que cette même liberté s'etendra aux perſonnes qui naviguent ſur un vaiſſeau libre ; de maniere que quoi qu'elles ſoient ennemies des deux parties ou de l'une d'elles, elles ne ſeront point tirées du vaiſſeau libre ſi ce n'eſt que ces fuſſent des gens de guerre actuellement au ſervice des dits ennemis.

ART. 8. Cette liberté de navigation et de commerce s'etendra à toutes ſortes de marchandiſes à la reſerve ſeulement

lement de celles qui ſont exprimées dans l'article ſuivant et deſignées ſous le nom de marchandiſes de contreband.

ART. 9. On comprendra ſous ce nom de marchandiſes de contrebande ou defendues, les armes, canons, boulets, arquebuſes, mouſquets, mortiers, bombes, petards, grenades, ſauciſſes, cercles poiſés, affuts, fourchettes, bandoulieres, poudre à canon, méches, ſalpetre, ſouffre, balles, piques, ſabres, epées, morions, caſques, cuiraſſes, halberdes, javelines, piſtolets, et leurs fourreaux, baudriers, bayonettes, chevaux avec leurs harnois et tous autres ſemblables genres d'armes et d'inſtruments de guerre ſervant à l'uſage des troupes.

ART. 10. On ne mettra point au nombre des marchandiſes defendues celles qui ſuivent, ſcavoir toutes ſortes de draps et tous autres ouvrages de manufactures de laine, de lin, de ſoye, de coton et de toute autre matiere, tout genre d'habillement avec les choſes qui ſervent ordinairement à les faire; Or, argent monnoyé ou non monnoyé, etain, fer, plomb, cuivre, laiton, charbon à fourneau, bled, orge, et toute autre ſorte de grains et de legumes, la nicotiane, vulgairement apellée tabac, toutes ſortes d'aromates, chaires ſalées et fumées, poiſons ſalés, fromage et beurre, bierre, huile, vins, ſucres, toutes ſortes de ſels et de proviſions ſervant à la nourriture et à la ſubſiſtance des hommes ; tous genres de coton, chanvres lin, poix, tant liquide que ſeche, cordages, cables, voiles, toiles propres à faire des voiles, ancres et parties d'ancres quelles qu'elles puiſſent être, mats de navire, planches, madriers, poutres et toute ſorte d'arbres et toutes autres choſes neceſſaires pour conſtruire ou pour radouber les vaiſſeaux. On ne regardera pas non plus comme marchandiſes de contrebande, celles qui n'auront pas pris la forme de quelque inſtrument ou attirail, ſervant à l'uſage de la guerre ſur terre ou ſur mer ; encore moins celles qui ſont preparées ou travaillées pour tout autre uſage. Toutes ces choſes ſeront cenſées marchandiſes libres, de-même que toutes celles qui ne ſont point compriſes et ſpecialement deſignées dans l'article precedent, de ſorte qu'elles ne pourront ſous aucune interpretation pretendue

d'icelles

d'icelles être compriſes ſous les effets prohibés, ou de contrebande; aucontraire elles pourront être librement transportées par les ſujets du Roi et des Etats Unis, même dans les lieux ennemis, excepté ſeulement dans les places aſſiegées, bloquées ou inveſties, et pour telles, ſeront tenues uniquement les places entourées de prês par quel qu'une des puiſſances belligerentes.

ART. 11. Afin d'écarter et de prevenir de part et d'autre toutes ſortes de diſcuſſions et de diſcorde, il a été convenu que dans les cas ou l'une des deux parties ſe trouveroit engagée dans une guerre, les vaiſſeaux et batimens appartenants aux ſujets ou habitants de l'autre devront être munies de lettres de mer ou paſſeports, exprimant le nom, la proprieté et le port du navire, ainſi que le nom et la demeure du maitre ou commandant du dit vaiſſeau afin qu'il apparoiſe par là que le dit vaſſeau appartient réelement et veritablement aux ſujets de l'une ou de l'autre partie. Ces paſſeports qui ſeront dreſſés et expediés en due et bonne forme, devront également être renouvelles toutes les fois que le vaiſſeau revient chez lui dans le cours de l'an. Il eſt encore convenu que ces dits vaiſſeaux chargés devront être pourvus non ſeulement de lettres de mer, mais auſi de certificats contenant les details de la cargaiſon, le lieu d'où le vaiſſeau eſt parti et celui de ſa deſtination, afin que l'on puiſſe connoitre s'ils neportent aucune des marchandiſes defendues ou de contrebande ſpecifiées dans l'article 9 du preſent traité, les quels certificats ſeront églalement expediés par les officiers du lieu d'ou le vaiſſeau ſortira.

ART. 12. Quoique les vaiſſeaux de l'une et de l'autre partie pourront naviguer librement et avec toute ſureté comme il eſt explique à l'article 7, ils ſeront neanmoins tenus toutes les fois qu'on l'exigera exhiber tant en pleine mer que dans les ports, leurs paſſeports et certificats cy deſſus mentionnés. Et n'ayant pas chargé de marchandiſes de contrebande pour un port ennemi, ils pourront librement et ſans empechement pour ſuivre leur voyage vers le lieu de leur deſtination. Cependant on n'aura point le droit de demander l'exhibition des papiers aux navires marchands

chands convoyés par des vaiſſeaux de guerre ; mais on ajoutera foi à la parole de l'officier commandant le convoy.

ART. 13. Si en produiſſant les dits certificats il fut decouvert que le navire porte quelques uns de ces effets qui ſont declarés prohibés ou de contrebande, et qui ſont conſignés pour un port ennemi, il ne ſera cependant pas permis de rompre les écoutilles des dits navires, ni d'ouvrir aucune caiſſe, coffre, malle, ballot et tonneau, ou d'en deplacer ni d'en detourner la moindre partie des marchandiſes juſqu' à ceque la cargaiſon ait été miſe à terre en preſence des officiers prepoſés à cet éffet, et que l'inventaire en ait été fait. Encore ne ſera t'il pas permis de vendre échanger ou aliener la cargaiſon ou quelque partie d'icelle, avant qu'on aura procedé legalement au ſujet des marchandiſes prohibées et qu'elles auront été declarées confiſcables par ſentence ; à la reſerve néanmoins tant des navires mêmes que des autres marchandiſes qui y auront été trouvées et qui en vertu du preſent traité doivent être cencées libres ; les quelles ne peuvent être retenues ſous pretexte qu'elles ont été chargeés avec des marchandiſes defendues, et encore moins être confiſquées comme une priſe legitime. Et ſuppoſé que les dites marchandiſes de contrebande, ne faiſſant qu'une partie de la charge, le patron du navire agréat, conſentit et offrit de les livrer au vaiſſeau qui les aura decouvertes ; en ce cas celui cy, apres avoir reçu les marchandiſes debonne priſe ſera tenu de laiſſer alter auſſitot le batiment, et ne l'empêchera en aucune maniere de pourſuivre ſa route vers le lieu de ſa deſtination. Tout navire pris et amené dans un des ports des parties contractantes, ſous pretexte de contrebande, qui ſe trouve par la viſite faite n'être chargé que de marchandiſes declarées libres, l'armateur ou celui qui aura fait la priſe, ſera tenu de payer tous les fraix et dommages au patron du navire retenu injuſtement.

ART. 14. On eſt egalement convenu que tout ce qui ſe trouvera chargé par les ſujets d'une des deux parties dans un vaiſſeau appartenant aux ennemis de l'autre partie, ſera confiſqué en entier, quoique ces effets ne ſoient pas au nombre

de ceux declarés de contrebande, comme si ces effets appartenoient à l'ennemi même ; à l'exception néanmoins des effets et marchandises qui auront été chargées sur des vaisseaux ennemis avant la declaration de guerre et même six mois aprés la declaration, apres le quel terme on ne sera pas censé d'avoir pu l'ignorer, les quelles marchandises ne seront en aucune maniere sujettes à confiscation, mais seront rendues en nature fidelement aux proprietaires qui les reclameront ou feront reclamer avant la confiscation et vente ; comme aussi leur provenu, si la reclamation ne pouvoit se faire que dans l'intervalle de huit mois aprés la vente, la quelle doit être publique ; bien entendu néanmoins, que si les dites marchandises sont de contrebande, il ne sera nullement permis de les transporter ensuite à aucun port appartenant aux ennemis.

ART. 15. Et afin de pourvoir plus efficacement à la sureté des deux parties contractantes, pour qu'il ne leur soit fait aucun prejudice par les vaisseaux de guerre de l'autre partie ou par des armateurs particuliers, il sera fait defense à tous les capitaines et commandants de vaisseaux de sa Majesté Suedoise et des Etats Unis, et tous leurs sujets de faire aucun dommage ou insulte à ceux de l'autre partie ; et au cas qu'ils y contreviennent, ayant été trouvés coupables, aprés l'examen fait par leurs propres juges, ils seront tenus de donner satisfaction de tout dommage et interêt ; et de les bonnifier sous peine et obligation de leurs personnes et biens.

ART. 16. Pour cette cause chaque particulier voulant armer en course, sera obligé, avant que de recevoir les patentes ou ses commissions speciales de donner par devant un juge competent, caution de personnes solvables, chacun solidairement pour une somme suffisante, afin de repondre de tous les dommages et torts que l'armateur, ses officiers, ou autres étant à son service pourroient faire en leurs courses, contre la teneur du present traité et contre les edits faits de part et d'autre en vertu du même traité par le Roi de Suede et par les Etats Unis, même sous peine de revocation et cassation des dites patentes et commissions speciales.

ART. 17. Une des parties contractantes étant en guerre, et l'autre reſtant neutre, s'il arrivoit qu'un navire marchand de la puiſſance neutre fût pris par l'ennemi de l'autre partie et repris enſuite par un vaiſſeau ou par un armateur de la puiſſance en guerre ; de même que les navires et marchandiſes de quelle nature qu'elles puiſſent être lors qu'elles auront été enlevées des mains de quelque pirate ou ecumeur de mer, elles ſeront emmenées dans quelque port de l'un des deux etats et ſeront remiſes à la garde des officiers du dit port, afin d'être rendus en entier à leur veritable proprietaire, auſſitot qu'il aura produit des preuves ſuffiſantes de la proprieté. Les marchands patrons et proprietaires des navires, matelots, gens de toute ſorte, vaſſeaux et bâtimens et en general aucunes marchandiſes ni aucunes effets de chacun des alliés ou de leurs ſujets ne pourront être aſſujetis à aucun embargo, ni retenus dans aucun des pays, territoires, iſles, villes, places, ports, rivages ou domains quelconques de l'autre allié, pour quelque expedition militaire, uſage public ou particulier de qui que ce ſoit, par ſaiſie, par force ou de quelque maniere ſemblable. D'autant moins ſera t'il permis aux ſujets de chacune des parties de prendre ou enlever par force quelque choſe aux ſujets de l'autre partie, ſans le conſentement du proprietaire ; ce qui neanmoins ne doit pas ſ'entendre des ſaiſies, detentions et arrêts qui ſe feront par ordre et autorité de la juſtice et ſelon les voyes ordinaires pour dettes ou delits au ſujet des quels il devra être procedé par voye de droit ſelon les formes de juſtice.

ART. 18. Si'l arrivoit que les deux parties contractantes fuſſent en même tems en guerre contre un ennemi commun on obſervera de part et d'autre les points ſuivants.

I. Si les batimens de l'une des deux nations repris par les armateurs de l'autre n'ont pas été au pouvoir de l'ennemi au delà de 24 heures, ils ſeront reſtitués au premier proprietaire, moyennant le payement du tiers de la valeur du batiment et de celle de la cargaiſon. Si au contraire le vaiſſeau repris a été plus de 24 heures au pouvoir

voir de l'ennemi, il appartiendra en entier à celui qui l'aura repris.

2. Dans le cas que dans l'intervale de 24 heures un navire eſt repris par un vaiſſeau de guerre de l'une des deux parties, il ſera rendu au premier proprietaire, moyennant qu'il paye un trentieme de la valeur du navire et de ſa cargaiſon, et le dixieme, s'il a été repris apres les 24 heures, les quelles ſommes ſeront diſtribuées en guiſe de gratification aux equipages des vaſſeaux qui l'auront repris.

3. Les priſes faites de la maniere ſuſdite ſeront reſtituées aux proprietaires, aprés les preuves faites de la proprieté, en donnant caution pour la part qui en revient à celui qui a tiré le navire des mains de l'ennemi.

4. Les vaiſſeaux de guerre et armateurs des deux nations ſeront reciproquement admis avec leurs priſes, dans les ports reſpectifs de chacune, mais ces priſes ne pourront y être dechargées ni vendues qu' apres que la legitimité de la priſe faite par des batimens Suedois aura été decidée ſelon les loix et reglemens établis en Suede ; tout comme celle des priſes faites par des batimens Americains, ſera jugée ſelon les loix et reglemens determinés par les Etats Unis de l'Amerique.

5. Au ſurplus il ſera libre au Roi de Suede, ainſi qu' aux Etats Unis de l'Amerique, de faire tels reglemens qu'ils jugeront neceſſaires relativement à la conduite que devront tenir leurs vaiſſeaux et armateurs reſpectifs à l'égard des batimens qu'ils auront pris et conduits dans les ports des deux puiſſances.

ART. 19. Les vaiſſeaux de guerre de ſa Majeſte Suedoiſe et ceux des Etats Unis. de meme que ceux que leurs ſujets auront armes en guerre, pourront en toute liberté conduire les priſes qu'ils auront faites ſur leurs ennemis dans les ports ouverts en tems de guerre aux autres nations amies, ſans que ces priſes, entrant dans les dits ports, puiſſent être arretés ou ſaiſies, ni que les officiers des lieux

puiſſent

puiſſent prendre connoiſance de la validité de dites priſes; les quelles pourront ſortir et etre conduites franchement et en toute liberté aux lieux portés par les commiſſions dont les capitaines des dits vaiſſeaux ſeront obligés de faire montre.

ART. 20. Au cas quelque vaiſſeau appartenant à l'un des deux etats, ou à leurs ſujets aura échoué, faite naufrage ou ſouffert quelque autre dommage ſur les côtes ou ſous la domination de l'une des deux parties, il ſera donné toute aide et aſſiſtance aux perſonnes naufragées ou qui ſe trouvent en danger, et il leur ſera accordé des paſſeports pour aſſurer leur retour dans leur patrie. Les navires et marchandiſes naufragées ou leur provenu, ſi ces effets euſſent été vendus, êtant reclamés dans l'an et jour par les proprietaires, ou leur ayant cauſe, ſeront reſtitués, en payant les fraix du ſauvement, conformement aux loix et coutumes des deux nations.

ART. 21. Lorſque les ſujets et habitants des deux parties avec leurs vaiſſeaux ſoit publics, ſoit equipés en guerre ſoit particuliers, ou employés au commerce, ſeront forcés par un tempête, par la pourſuite des corſaires et des ennemis, ou par quelqu' autre neceſſité urgente de ſe retirer et d'entrer dans quelqu' une des rivieres, bayes, rades ou ports, de l'une des deux parties, ils ſeront reçus et traités avec humanité et honnêteté, et jouiront de toute amitié, protection et aſſiſtance et il leur ſera permis de ſe pourvoir de rafraichiſſements, de vivres et de toute choſe neceſſaire pour leur ſubſiſtance, pour la reparation de leurs vaiſſeaux et pour continuer leur voyage, le tout moyennant un prix raiſonable, et ils ne ſeront retenus en aucune maniere, ni empêches de ſortir des dits ports ou rades, mais pourront ſe retirer et partir quand et comme il leur plaira ſans aucun obſtacle ni empéchement.

ART. 22. Afin de favoriſer d'autant plus le commerce des deux côtés, il eſt convenu que dans le cas ou la guerre ſurviendroit entre les deux nations ſuſdites, ce qu' à Dieu ne plaiſe, il ſera accordé un tems de neuf mois aprés la declaration de guerre, aux marchands et ſujets reſpectifs

tifs de part et d'autre, pour pouvoir se retirer avec leurs effets et meubles, les quels ils pourront transporter, ou faire vendre où ils voudront, sans qu'on y mette le moindre obstacle, ni qu'on puisse arrêter les effets et encore moins les personnes pendant les dits neuf mois ; mais qu' au contraire on leur donnera pour leurs vaisseaux et effets qu'ils voudront prendre avec eux des passeports valables pour le tems qui sera necessaire pour leur retour ; mais s'il leur est enlevé quelque chose, ou s'il leur a été fait quelqu' injure, durant le terme prescrit cy dessus par l'une des parties, leurs peuples et sujets, il leur sera donné à cet égard pleine et entiere satisfaction. Ces passeports susmentionnés, serviront également de sauf conduits contre toutes insultes ou prises que les armateurs pourront intenter de faire contre leurs personnes et leurs effets.

ART. 23. Aucun sujet du Roi de Suede ne prendra de commission ou lettre de marque pour armer quelque vaisseau, afin d'agir comme corsaire contre les Etats Unis de l'Amerique ou quelques uns d'entre eux, ou contre les sujets, peuples, ou habitans d'iceux, ou contre la propriété des habitans de ces etats, de quelque prince ou état que ce soit, avec le quel ces dits Etats Unis seront en guerre. De même aucun citoyen, sujet ou habitant des dits Etats Unis et de quel qu'un d'entre eux ne demandera ni n'acceptera aucune commission ou lettre de marque, afin d'armer quelque vaisseau pour course sus aux sujets de sa Majesté Suedoise ou quelqu' un d'entre eux ou leur propriete, de quelque prince ou état que ce soit avec qui sa dite Majesté se trouvera en guerre. Et si quel qu'un de l'une ou de l'autre nation prenoit de pareilles commissions ou lettres de marque, il sera puni comme pirate.

ART. 24. Les vaisseaux des sujets ou habitants d'une des deux parties, abordant à quelque côte de la dependance de l'autre, mais n'ayant point dessein d'entrer au port, ou y'etant entré ne desirant pas decharger leur cargaison ou rompre leur charge n'y seront point obligés, mais au contraire jouiront de toutes les franchises et exemtions accordées par les reglemens qui subsistent relativément à cet objet.

ART.

ART. 25. Lorſqu'un vaiſſeau appartenant aux ſujets et habitants de l'une des deux parties, naviguant en pleine mer, ſera rencontré par un vaiſſeau de guerre, ou armateur de l'autre, le dit vaiſſeau ou armateur, pour eviter tout deſordre, ſe tiendra hors de la portée du canon, mais pourra toutes fois envoyer ſa chaloupe àbord du navire marchand et y faire entrer deux ou trois hommes aux quels le maitre ou commandant du dit navire, montrera ſon paſſeport, qui conſtate la proprieté du navire et aprés que le dit batiment aura exhibé le paſſeport, il lui ſera libre de continuer ſon voyage et il ne ſera pas permis de le moleſter ni de chercher en aucune maniere à lui donner la chaſſe ou à le forcer de quitter la courſe qu'il ſ'etoit propoſé.

ART. 26. Les deux parties contractantes ſe ſont accordé mutuellement la faculté de tenir dans leurs ports reſpectifs des conſuls, vice conſuls, agents et commiſſaires dont les fonctions ſeront reglées par une convention particuliere.

ART. 27. Le preſent traité ſera ratifiê de part et d'autre et les ratifications ſeront échangeés dans l'eſpace de huit mois, ou plustôt, ſi faire ſepeut ; à compter du jour de la ſignature.

En foi de quoi les plenipotentiaires reſpectifs ont ſigné lés articles cy deſſus et y ont appoſé la cachet de leurs armes.

FAIT à Paris le trois avril, l'an de grâce mil ſept cent quatrevingt trois.

(Signé)

GUSTAV. PHILIP Comte de CREUTZ. (L. S.)
B. FRANKLIN. (L. S.)

ARTICLE SEPARE.

LE Roi de Suede et les Etats Unis de l'Amerique Septentrionale ſont convenus que le preſent traité aura ſon plein effet pendant l'eſpace de quinze ans conſecutifs à compter

ter du jour de sa ratification ; et les deux parties contractantes se reservant la faculté de le renouveller au bout de ce tems.

FAIT à Paris le trois avril, l'an de grâce mil sept cent quatrevingt trois.

(Signé)

GUSTAV. PHILIP Comte de CREUTZ. (L. S.)
B. FRANKLIN. (L. S.)

ARTICLES SEPARES.

ART. 1. Sa Majesté Suedoise fera usage de tous les moyens qui sont dans son pouvoir pour proteger et defendre les vaisseaux et effets, appartenans aux citoyens ou habitans des Etats Unis de l'Amerique Septentrionale et à chacun d'iceux, qui seront dans les ports, havres ou rades ou dans les mers prés des pays, isles, contrées, villes et places de sa dite Majesté, et fera tous ses efforts pour recouvrir et faire restituer aux proprietaires legitimes tous les vaisseaux et effets qui leur seront pris dans l'etendue de sa jurisdiction.

ART. 2. De même les Etats Unis de l'Amerique Septentrionale protegeront et defendront les vaisseaux et effets, appartenans aux sujets de sa Majesté Suedoise qui seront dans les ports, havres ou rades, ou dans les mers prés des pays, isles, contrées, villes et places des dits etats, et feront tous leurs efforts pour recouvrir et faire restituer aux proprietaires legitimes tous les vaisseaux et effets qui leur seront pris dans l'etendue de leur jurisdiction,

ART. 3. Si durant une guerre maritime à venir les deux puissances contractantes prennent lepartie de rester neutres et d'observer comme telles, la plus exacte neutralité, alors on est convenu que s'il arrivoit que les vaisseaux marchands de l'une des puissances, se trouvassent dans un parage ou les vaisseaux de guerre de la même nation ne fussent pas stationnés, ou bien s'ils se rencontrent en pleine mer sans pouvoir avoir recours à leurs propres convois, dans ce cas le commandant des vaisseaux de guerre de

de l'autre puiſſance, s'il en eſt requis, doit de bonne foi et ſincerement leur prêter les ſecours dont ils pourront avoir beſoin et en tel cas les vaiſſeaux de guerre et fregates de l'une des puiſſances ſerviront de ſoutien et d'appui aux vaiſſeaux marchands de l'autre, bien entendu cependant, que les reclamans n'auroient fait aucun commerce illicite ni contraire aux principes de la neutralité.

ART. 4. Il eſt convenu et arrêté que tous les marchands, capitaines des navires marchands ou autres ſujets de ſa Majeſté Suedoiſe, auront l'entiere liberté dans toutes les places de la domination ou juriſdiction des Etats Unis de l'Amerique, de conduire eux mêmes leurs propres affaires, et d'employer qu' il leur plaira pour les conduire et qu'ils ne ſeront point obligés, de ſe ſervir d'aucun interprete ou courtier, ni leur payer aucun honoraire à moins qu'ils ne s'en ſervent. En outre les maitres des navires ne ſeront point obligés chargeant ou dechargeant leurs navires, de ſe ſervir des ouvriers qui peuvent être etablis pour cet effet par l'autorité publique; mais ils ſeront entierement libres de charger ou de decharger eux mêmes leurs vaiſſeaux et d'employer pour charger ou decharger ceux qu'ils croiront propres pour cet effet, ſans payer aucuns honoraires à titre de ſalaire à aucune autre perſonne que ce ſoit, et ils ne pourront être forcés de verſer aucune eſpece de marchandiſes dans d'autres vaiſſeaux ou de les recevoir à leur bord et d'attendre pour être chargés, plus long tems qu'il ne leur plaira, et tous et un chacun des citoyens, peuples et habitans des Etats Unis de l'Amerique auront et jouiront reciproquement des mêmes privileges et libertés dans toutes les places de la jnriſdiction du dit royaume.

ART. 5. Il eſt convenu que lorſque les marchandiſes auront été chargées ſur les vaiſſeaux ou batimens de l'une des deux parties contractante, elles ne pourront plus être aſſujetties à aucune viſite; toute viſite et recherche devant être faite avant le chargement et les marchandiſes prohibées devant etre arretées ſur la plage avant de pouvoir etre embarquées à moins qu'on ait des indices manifeſtes ou des preuves de verſement frauduleux de la part

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du proprietaire du navire ou de celui qui en a le commandement. Dans ce cas ſeul il en ſera reſponſible et ſoumis aux loix du pays ou il ſe trouve. Dans aucun autre cas, ni les ſujets d'une des parties contractantes, qui ſe trouveront avec leurs navires dans les ports de l'autre, ni les marchandiſes, ne pourront être arrêtes ou moleſtés pour cauſe de contrebande, qu'ils auront voulu prendre à leur bord, ni aucune eſpece d'embargo mis ſur leurs navires, les ſujets ou citoyens de l'état où ſes marchandiſes ſont declarées de contrebande, ou dont la ſortie eſt defendue et qui néanmoins auront vendu ou voulu vendre et aliener les dites marchandiſes, devant être les ſeuls qui ſeront duement punis pour une pareille contravention.

FAIT à Paris le trois avril, l'an de grâce mil ſept cent quatrevingt trois.

(Signé)

GUSTAV. PHILIP Comte de CREUTZ. (L. S.)
B. FRANKLIN. (L. S.)

NOW be it known, that we the ſaid United States of America in Congreſs aſſembled, have accepted and approved, and do by theſe preſents, ratify and confirm the ſaid treaty and every article and clauſe thereof; and we do authoriſe and direct our miniſter plenipotentiary aforeſaid, to deliver this our act of ratification in exchange for the ratification of the ſaid treaty, by his majeſty the king of Sweden.—In teſtimony whereof, we have cauſed our ſeal to be hereunto affixed. Witneſs his excellency ELIAS BOUDINOT, preſident, this 29th day of July, one thouſand ſeven hundred and eighty three, and of our ſovereignty and independence the eighth.

On motion of Mr. Duane, ſeconded by Mr. Holten,

Reſolved, That doctor Franklin, miniſter plenipotentiary of theſe United States, for concluding a treaty with the king of Sweden, be, and he hereby is inſtructed and fully empowered, to obtain amendments of the following inaccuracies in the commercial treaty with his ſaid majeſty this day ratified, namely, United States of North America, for "United States of America," the counties of New-Caſtle, Kent and Suſſex on Delaware, for "Delaware;"

and to enter into the neceſſary inſtruments and ſtipulations for that purpoſe.

The committee conſiſting of Mr. Bland, Mr. Higgenſon and Mr. M'Henry, to whom was referred a report of the ſuperintendant of finance, on the laſt paragraph of the report of the committee under debate on the 11th inſtant, having reported the following reſolution.

That the ſuperintendant of finance be directed, forthwith to publiſh ſo much of his inſtructions to the receivers of the continental revenue, as relates to their being inſtructed and authoriſed to take all notes ſigned by the ſuperintendant of finance, in payment of the taxes; and alſo to take up all ſuch notes whenever tendered, if they have public money in their hands.

A motion was made by Mr. M'Henry, ſeconded by Mr. Williamſon, that the conſideration of the foregoing report be poſtponed, in order to take up the following motion,

That the ſuperintendant of finance be directed, to lay before Congreſs his inſtructions to the receivers of continental taxes in the United States, which direct the receipt of his notes or thoſe of M. Hillegas, in payment of taxes, or the receiving the ſame in exchange for money.

And on the queſtion to poſtpone for the purpoſe aforeſaid, the yeas and nays being required by Mr. Higgenſon.

New-Hampſhire,	Mr. Foſter	no	no*
Maſſachuſetts,	Mr. Holten	no	no
	Mr. Higgenſon	no	
Rhode-Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	ay	divided
	Mr. B. Huntington	no	
New-York,	Mr. Duane	ay	ay*
New-Jerſey,	Mr. Boudinot	ay	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Montgomery	ay	ay
	Mr. Peters	ay	
Maryland,	Mr. M'Henry	ay	ay*
Virginia,	Mr. Bland	no	no
	Mr. A. Lee	no	

North-Carolina,

North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South Carolina,	Mr. Izard	ay	ay
	Mr. Beresford	ay	

So the queſtion was loſt.

A motion was then made by Mr. Clarke, ſeconded by Mr. Howell, after the words, "to take up ſuch notes," to add, "as they become due."

And on the queſtion to agree to this amendment, the yeas and nays being required by Mr. Higgenſon.

New-Hampſhire,	Mr. Foſter	no	*
Maſſachuſetts,	Mr. Holten	no	no
	Mr. Higgenſon	no	
Rhode-Iſland,	Mr. Ellery	no	divided
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	ay	*
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr Condict	no	
Penſylvania,	Mr. Montgomery	ay	ay
	Mr. Peters	ay	
Maryland,	Mr. M'Henry	ay	*
Virginia,	Mr. Bland	ay	ay
	Mr. A. Lee.	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Izard	ay	a
	Mr. Beresford	ay	

So the queſtion was loſt.

WEDNESDAY, JULY 30, 1783.

Congreſs reſumed the conſideration of the report of the committee which was under debate yeſterday; and on motion of Mr. Hawkins, ſeconded by Mr. Bland, the farther conſideration thereof being poſtponed.

A motion was made by Mr. Hawkins, ſeconded by Mr. Bland, in the words following.

The

The ſuperintendant of finance having reported to Congreſs, that the receivers in the ſeveral ſtates, have long ſince been inſtructed, to take all notes ſigned by the ſuperintendant of finance, in payment of taxes; and alſo to take up all ſuch notes whenever tendered, if they have public money in their hands. Ordered that the above be publiſhed.

A motion was made by Mr. Howell, ſeconded by Mr. Ellery, to amend the above motion, by ſtriking out the words, "Ordered that the above be publiſhed," and in lieu thereof, inſerting "*Reſolved*, That the ſuperintendant of finance be directed to publiſh the purport of his inſtructions to the receivers of the continental taxes, authorizing and directing them, to receive notes iſſued by him in payment of taxes, to the end that the holders of ſuch notes be informed in what manner they may receive payment." And on the queſtion to agree to this motion, the yeas and nays being required by Mr. Howell,

New-Hampſhire,	Mr. Foſter	*no*	*
Maſſachuſetts,	Mr. Holten	*no*	*no*
	Mr. Higgenſon	*no*	
Rhode-Iſland,	Mr. Ellery	*ay*	*ay*
	Mr. Howell	*ay*	
Connecticut,	Mr. S. Huntington	*no*	*no*
	Mr. B. Huntington	*no*	
New-York,	Mr. Duane	*no*	*
New-Jerſey,	Mr. Boudinot	*ay*	*ay*
	Mr. Clarke	*ay*	
	Mr. Condict	*ay*	
Pennſylvania,	Mr. Montgomery	*no*	*no*
	Mr. Peters	*no*	
Maryland,	Mr. M'Henry	*no*	*
Virginia,	Mr. Bland	*ay*	*ay*
	Mr. Lee	*ay*	
North-Carolina,	Mr. Hawkins	*ay*	*
South-Carolina,	Mr. Izard	*ay*	*divided*
	Mr. Beresford	*no*	

So the queſtion was loſt.

A motion was then made by Mr. M'Henry, ſeconded by Mr.

Mr. Peters, to poſtpone the main queſtion, in order to take up the following motion.

Whereas it is alledged that the inſtructions given by the ſuperintendant of finance, to the receivers of continental taxes in the ſeveral ſtates, to take all notes ſigned by him in payment of taxes; and alſo to take up all ſuch notes whenever tendered, if they have public money in their hands, are not generally known: *Reſolved*, That the ſuperintendant of finance take order for the better information of the citizens of the ſeveral ſtates, reſpecting the ſaid notes.

And on the queſtion to poſtpone for this, the yeas and nays being required by Mr. Peters.

New-Hampſhire,	Mr. Foſter	*no*	*
Maſſachuſetts,	Mr. Holten	*no*	*no*
	Mr. Higgenſon	*no*	
Rhode-Iſland,	Mr. Ellery	*no*	*no*
	Mr. Howell	*no*	
Connecticut,	Mr. S. Huntington	*no*	*no*
	Mr. B. Huntington	*no*	
New-York,	Mr. Duane	*no*	*
New Jerſey,	Mr. Boudinot	*ay*	*ay*
	Mr. Clarke	*no*	
	Mr. Condict	*ay*	
Pennſylvania,	Mr. Montgomery	*ay*	*ay*
	Mr. Peters	*ay*	
Maryland,	Mr. M'Henry	*ay*	*
Virginia,	Mr. Bland	*no*	*divided*
	Mr. Lee	*ay*	
North-Carolina,	Mr. Hawkins	*no*	*
South-Carolina,	Mr. Izard	*no*	*no*
	Mr. Beresford	*no*	

So the queſtion was loſt.

The main queſtion being amended, was agreed to as follows.

The ſuperintendant of finance having reported to Congreſs, "That the receivers in the ſeveral ſtates have long ſince been inſtructed to take all notes ſigned by the ſuperintendant of finance in payment of taxes; and alſo to take up all ſuch notes whenever tendered, if they have public money in their hands."

Ordered

Ordered, That the ſuperintendant of finance be directed to publiſh the above information.

FRIDAY, AUGUST 1, 1783.

A motion having been made yeſterday by Mr. Read, ſeconded by Mr. M'Henry,

That on the ——— the preſident ſhall adjourn Congreſs, to meet at Philadelphia, on ——— there to continue until the laſt Monday in October next, at which time the preſident ſhall adjourn Congreſs, to meet at Annapolis on the Friday following, unleſs Congreſs ſhall before that time have determined otherwiſe

On motion made by Mr. Bland, ſeconded by Mr. Howell, the foregoing motion being taken up, and the firſt blank being filled with the words, "eighth day of Auguſt inſtant," and the ſecond blank with the words, "twelfth of Auguſt inſtant." A motion was made by Mr. Bland, ſeconded by Mr. Howell, to ſtrike out the words, "there to continue until the laſt Monday in October next, at which time the preſident ſhall adjourn Congreſs, to meet at Annapolis on the Friday following, unleſs Congreſs ſhall before that time have determined otherwiſe."

And on the queſtion, Shall thoſe words ſtand? The yeas and nays being required by Mr. M'Henry.

New-Hampſhire,	Mr. Foſter	*no*	*
Maſſachuſetts,	Mr. Holten	*no*	*divided*
	Mr. Higgenſon	*ay*	
Rhode-Iſland,	Mr. Ellery	*no*	*no*
	Mr. Howell	*no*	
Connecticut,	Mr. S. Huntington	*no*	*no*
	Mr. B. Huntington	*no*	
New-York,	Mr. Duane	*no*	*
New-Jerſey,	Mr. Boudinot	*ay*	*divided*
	Mr Clarke	*no*	
Pennſylvania,	Mr. Montgomery	*no*	*no*
	Mr. Peters	*no*	
Maryland,	Mr. M'Henry	*ay*	*
Virginia,	Mr. Bland	*no*	*divided*
	Mr. Lee	*ay*	

North-Carolina,

North-Carolina,	Mr. Hawkins	*no*	*divided*
	Mr. Williamſon	*ay*	
South-Carolina,	Mr. Izard	*ay*	*ay*
	Mr. Read	*ay*	

So the words were ſtruck out.

On motion of Mr. Lee, ſeconded by Mr. Holten,

Ordered, That Wedneſday next be aſſigned for the farther conſideration of the motion.

On the report of a committee conſiſting of Mr. Duane, Mr. A. Lee and Mr. Higgenſon, to whom was referred a letter of 24th July, from Sir Guy Carleton, with ſundry communications accompanying the ſame.

Reſolved, That the preſident inform Sir Guy Carleton, commander in chief of the Britiſh forces at New-York, that the United States in Congreſs aſſembled, have conſidered the communications which he has been pleaſed to make in his letter of the 24th July laſt, relative to certain perſons ſuſpected of forging and paſſing the notes iſſued from the office of finance of the United States.

That they preſume his excellency will give orders that ſuch of the perſons, ſubjects of any of theſe United States, as are or may be in cuſtody, on a charge of having made or paſſed within any of the United States, counterfeits either of the notes or paper bills of the United States or any of them, ſhall be delivered up together with the proofs which ſhall be collected againſt them, to be tried under the juriſdiction to whom the cognizance of their crimes belongs: that a guard ſhall attend at the time and place to be appointed by him, for the purpoſe of receiving and ſecuring ſuch of the criminals as fall under the above deſcription: and that with regard to further enquiries, and to criminals who are not amenable to any of theſe United States, Congreſs have entire confidence that juſtice will be done, and ſuch atrocious offenders brought to condign puniſhment.

Adjourned to ten o'clock on Monday.

MONDAY, AUGUST 4, 1783.

Five ſtates only attended, namely, Rhode Iſland, Connecticut, New-Jerſey, North-Carolina and South-Carolina;

rolina; and from the ſtate of New-Hampſhire Mr. Foſter, from Maſſachuſetts Mr. Holton, from Maryland Mr. M'Henry, and from the ſtate of Virginia Mr. Mercer.

TUESDAY, AUGUST 5, 1783.

The agent of marine, to whom was referred a reſolution of the houſe of delegates of the ſtate of Virginia of twenty ſixth of June 1783, reported,

That although it is an object highly deſireable, to eſtabliſh a reſpectable marine, yet the ſituation of the public treaſury renders it not adviſeable to purchaſe ſhips for the preſent, nor until the ſeveral ſtates ſhall grant ſuch funds for the conſtruction of ſhips, docks and naval arſenals, and for the ſupport of the naval ſervice, as ſhall enable the United States to eſtabliſh their marine upon a permanent and reſpectable footing.

Reſolved, That Congreſs agree to the report.

WEDNESDAY, AUGUST 6, 1783.

On the report of a committee, conſiſting of Mr. Peters, Mr. Clarke and Mr. Duane, to whom was referred a memorial of Kelelamund, alias John Killbuck, an Indian chief,

Reſolved, That the memorial of Kelelamund, alias John Killbuck, be referred to the ſuperintendant of finance and ſecretary at war, who are hereby directed to take order for ſupplying this faithful Indian and his family, and other friendly Indians at Fort Pitt, with cloathing and neceſſaries; and whenſoever it ſhall be agreeable to Kelelamund and his family to remove into the Indian country, the ſecretary at war is hereby directed to order proviſions, and other neceſſary ſupplies for their journey, and a guard for their protection, if the ſame ſhall be neceſſary.

That the ſecretary at war be, and he is hereby directed to enquire into the numbers and wants of the friendly Indians of the Oneida, Tuſcarora and other northern nations, and in conjunction with the ſuperintendant, to afford them ſuch ſupplies of cloathing out of the ſtock of that article now on hand, as in the opinion of the ſuperintendant of finance and ſecretary at war, ſhall be deemed ſufficient

ſufficient for their neceſſities during the approaching winter. And the ſecretary at war is hereby further directed, to cauſe ſuch articles, in the quartermaſter general's department, as ſhall be uſeful to the ſaid Indians, to be delivered to them, and alſo a ſufficient number and quantity of arms, powder and lead, to enable them to procure their uſual ſubſiſtance by hunting.

Ordered, That the ſecretary at war, convey to Kelelamund, and the chiefs of the Oneida's, Tuſcarora's, and other northern nations, the juſt eſtimation in which Congreſs continue to hold their fidelity and attachment to the United States, through all the viciſſitudes of the late war.

THURSDAY, AUGUST 7, 1783.

Mr. Carroll a delegate for Maryland, and Mr. L'Hommedieu a delegate for New-York, attended and took their ſeats in Congreſs.

A motion was made by Mr. Clarke, ſeconded by Mr. Read, in the words following.

The commander in chief having been requeſted to attend Congreſs as ſoon as he ſhall return from the northward, by a reſolution of the 26th July.

Reſolved, That a committee be appointed to confer with him on the peace arrangement; and that they be inſtructed to report the proper manner of receiving him.

A motion was made by Mr. Howell, ſeconded by Mr. Ellery, to poſtpone the conſideration of the motion, in order to take up the following, viz. That a committee be appointed to conſider and report what meaſures are proper to be adopted by Congreſs, with reſpect to the reception of the commander in chief, on his arrival at Congreſs. And on the queſtion to agree to poſtpone for the above purpoſe, the yeas and nays being required by Mr. Howell.

New-Hampſhire,	Mr. Foſter	*ay*	*ay*
Maſſachuſetts,	Mr. Holten	*ay*	*ay*
	Mr. Higgenſon	*ay*	
Rhode-Iſland,	Mr. Ellery	*ay*	*ay*
	Mr. Howell	*ay*	
Connecticut,			

Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	no	divided
	Mr. L'Hommedieu	ay	
New-Jersey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennsylvania,	Mr. Wilson	ay	ay
	Mr. Montgomery	no	
	Mr. Peters	ay	
Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Bland	ay	ay
	Mr. Lee	ay	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamson	no	
South-Carolina,	Mr. Izard	no	no
	Mr. Read	no	
	Mr. Beresford	ay	

So the question was lost.

A division of the main question being called for, and on the question to agree to the first part, as far as the words "peace arrangement," inclusive, the yeas and nays being required by Mr. Ellery.

New-Hampshire,	Mr. Foster	no	*
Massachusetts,	Mr. Holten	no	no
	Mr. Higginson	no	
Rhode-Island,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jersey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	

Pennsylvania,

Pennſylvania,	Mr. Fitzſimmons	ay	
	Mr. Wilſon	ay	ay
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Bland	no	
	Mr. Lee	ay	ay
	Mr. Mercer	ay	
North Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South Carolina,	Mr. Izard	ay	
	Mr. Read	ay	ay
	Mr. Beresford	ay	

So it was reſolved in the affirmative.

The latter part of the motion being agreed to, it was reſolved as follows.

The commander in chief having been requeſted to attend Congreſs as ſoon as he ſhall return from the northward, by a reſolution of the 26th July,

Reſolved, That a committee be appointed to confer with him on the peace arrangement; and that they be inſtructed to report the proper manner of receiving him.

Ordered, That the committee conſiſt of five members.

On motion of Mr. A. Lee, ſeconded by Mr. Bland.

Reſolved, (unanimouſly, ten ſtates being preſent) That an equeſtrian ſtatue of general Waſhington, be erected at the place where the reſidence of Congreſs ſhall be eſtabliſhed.

On the report of a committee, conſiſting of Mr. A. Lee, Mr. Ellſworth and Mr. Mifflin, appointed to prepare a plan of an equeſtrian ſtatue of the commander in chief.

Reſolved, That the ſtatue be of bronze—The general to be repreſented in a Roman dreſs, holding a truncheon in his right hand, and his head encircled with a laurel wreath. The ſtatue to be ſupported by a marble pedeſtal, on which are to be repreſented, in baſſo relievo, the following principal events of the war, in which general Waſhington commanded in perſon, viz. The evacuation of Boſton—the capture of the Heſſians at Trenton—the battl

battle of Princeton—the action of Monmouth, and the ſurrender of York. On the upper part of the front of the pedeſtal, to be engraved as follows. The United States in Congreſs aſſembled, ordered this ſtatue to be erected in the year of our Lord 1783, in honor of George Waſhington, the illuſtrious commander in chief of the armies of the United States of America, during the war which vindicated and ſecured their liberty, ſovereignty and independence.

Reſolved, That a ſtatue conformable to the above plan, be executed by the beſt artiſt in Europe, under the ſuperintendence of the miniſter of the United States at the court of Verſailles; and that money to defray the expence of the ſame, be furniſhed from the treaſury of the United States.

Reſolved, That the ſecretary of Congreſs tranſmit to the miniſter of the United States at the court of Verſailles, the beſt reſemblance of general Waſhington that can be procured, for the purpoſe of having the above ſtatue erected; together with the fitteſt deſcription of the events, which are to be the ſubject of the baſſo relievo.

FRIDAY, AUGUST 8, 1783.

Ordered, That colonel G. Morgan be, and he is hereby authorized, to engage a houſe for the accommodation of the commander in chief, during his attendance on Congreſs.

SATURDAY, AUGUST 9, 1783.

On motion of Mr. Williamſon, ſeconded by Mr. Lee,

Reſolved, That the ſecretary at war be directed to grant furloughs to the troops in Maryland and Virginia

On the report of a committee conſiſting of Mr. Duane, Mr. Izard and Mr. S. Huntington, to whom were referred a petition of captain Clement Goſelin, in behalf of the officers, Canadians and other refugees, reſiding at Fiſhkill, in the ſtate of New-York, to the number of eighty men and women, beſides children; and the letter from brigadier general Hazen and others.

Reſolved,

Resolved, That it be, and is hereby recommended to the state of New-York, to receive the officers and men under the above description, agreeably to the prayer of their petition, as citizens of the said state.

Resolved, That the officers of the regiment lately commanded by brigadier general Hazen, who at the commencement of the war, were inhabitants of Canada, shall continue to receive their former subsistence, until the further order of Congress: And that each of the men, women and children, referred to in the petition of the said officers, shall respectively receive a ration per day for their subsistence, until such further order.

Resolved, That the commissioner appointed to settle the public accounts for the state of New York, be authorized and directed, to settle the claims for advances represented to have been made by the said officers, for the use of the United States, and report the same to Congress.

MONDAY, AUGUST 11, 1783.

On motion of Mr. Clarke, seconded by Mr. Holten, Congress came to the following resolution.

Congress having been informed by the communication of a letter from the paymaster general, that he hath not been able to obtain the accounts of issues necessary for settling the accounts of the army, though he hath repeatedly requested the same from the head of the issuing department.

Resolved, That Charles Stewart, late commissary general of issues, be directed immediately to furnish the paymaster general with the accounts of issues to the several officers, in order that their accounts may be speedily settled and adjusted.

On motion of Mr. Howell, seconded by Mr. Lee,

Resolved, That the superintendant of finance be directed to report as soon as may be, on the letters of the 16th and 18th June last, from the commissioner for settling the accounts between the United States and the state of Pennsylvania, referred to the said superintendant: And that he also report a copy of such instructions, as have heretofore been given from his office, to the commissioners for

for ſettling the accounts between the United States and each particular ſtate.

On the report of a committee, conſiſting of Mr. Bland, Mr. Mercer and Mr. Higgenſon, to whom was referred a petition of John Irwin, late deputy commiſſary of iſſues.

Reſolved, That the prayer of the petition from John Irwin, late deputy commiſſary of iſſues for the weſtern department, "That certificates may iſſue for the balance of pay due to himſelf and his aſſiſtants," cannot be granted, until all their accounts with the public ſhall be finally ſettled by the proper officers.

TUESDAY, AUGUST 12, 1783.

On the report of a committee conſiſting of Mr. Higgenſon, Mr. Clarke and Mr. Read, to whom was referred an addreſs from the inhabitants of New-Brunſwick and its vicinity

Reſolved, That the preſident inform the inhabitants of New-Brunſwick and its vicinity, that Congreſs with pleaſure receive their congratulations on the glorious and happy ſucceſs of the war, are obliged by the affection and reſpect for the federal government, expreſſed in their addreſs, and highly approve their patriotic diſpoſition to promote order, harmony and peace throughout the United States.

The committee conſiſting of Mr. M'Henry, Mr. Williamſon and Mr. Clarke, to whom was referred a petition of doctor Dirk Van Ingen, praying that depreciation may be allowed him in the ſettlement of his account, report,

"That as doctor Van Ingen, who ſerved for ſome years as ſurgeon, in the continental hoſpital, appears by his petition to have been reduced as a ſupernumerary before the 10th of April 1780, and as no depreciation has been allowed to officers who left the ſervice before that period, doctor Van Ingen's claim cannot be admitted without the infringement of the rule eſtabliſhed by Congreſs."

Reſolved, That Congreſs agree to the ſaid report.

On motion of Mr. M'Henry, ſeconded by Mr. Carroll,

Reſolved, That the conſideration of the report of a committee,

mittee, to whom was referred a letter of the 20th June laſt, from the ſuperintendant of finance, with the papers encloſed, relative to certain proceedings of the ſtate of Maryland, be poſtponed, that the delegates from Maryland may have an opportunity to receive information from the legiſlature, reſpecting the ſubject matter thereof.

WEDNESDAY, AUGUST 13, 1783.

A motion was made by Mr. Howell, ſeconded by Mr. Ellery,

"That the reſolution paſſed yeſterday, in anſwer to the addreſs of the inhabitants of New Brunſwick and its vicinity, be reconſidered, in order to ſtrike out the word "government," following the word federal, and to inſert in its ſtead, the word "union." And on the queſtion for reconſidering, the yeas and nays being required by Mr. Howell.

New-Hampſhire,	Mr. Foſter	no	no
Maſſachuſetts,	Mr. Holten	ay	divided
	Mr. Higginſon	no	
Rhode-Iſland,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Wilſon	no	no
	Mr. Montgomery	no	
	Mr. Peters	no	
Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Bland	no	divided
	Mr. Lee	ay	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	

South-Carolina,

South-Carolina,	Mr. Izard	no	no
	Mr. Read	no	
	Mr. Beresford	no	

So it paſſed in the negative.

The committee conſiſting of Mr. Williamſon, Mr. Wilſon, Mr. Izard, Mr. Duane and Mr. Carroll, to whom was referred a motion of Mr. Williamſon, reported the draught of an "Ordinance prohibiting the ſettlement and purchaſe of certain lands," which was read a firſt time.

Ordered, That Friday next be aſſigned for a ſecond reading of the ſaid ordinance.

Agreeable to the order of the day, Congreſs took into conſideration, a motion made by Mr. Howell, ſeconded by Mr. Bland, in the words following.—*Reſolved*, That on the 15th inſtant, the preſident adjourn Congreſs to meet at Philadelphia, on the 21ſt inſtant.

A motion was made by Mr. Read, ſeconded by Mr. Carroll, to poſtpone the conſideration of the foregoing motion, in order to take up the following.

"Whereas the reſolution of Saturday the 21ſt day of June laſt, enabling the preſident to ſummon Congreſs to meet at Trenton or Princeton, on Thurſday then next following, had for its object, that further and more effectual meaſures might be taken for ſuppreſſing the then exiſting revolt of certain troops of the Pennſylvania line, and maintaining the dignity and authority of the United States: And whereas it is no longer found neceſſary or expedient that Congreſs ſhould continue at Princeton.

"*Reſolved*, That on Friday the 15th inſtant, the preſident do adjourn Congreſs to meet on Monday next the 21ſt, at the city of Philadelphia; and that on the ſecond Monday in October next, the preſident do in like manner adjourn Congreſs, to meet on the Monday following, at Annapolis, in the ſtate of Maryland, unleſs Congreſs ſhall in the mean time order otherwiſe."

And on the queſtion for poſtponing, the yeas and nays being required by Mr. Wilſon.

New-Hampſhire,	Mr. Foſter	no	no
Maſſachuſetts,	Mr. Holten	no	
	Mr. Higgenſon	no	

Rhode-Iſland,

Rhode-Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	ay	divided
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	ay	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Wilſon	ay	ay
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Bland	no	no
	Mr. A. Lee	no	
North-Carolina,	Mr. Hawkins	no	divided
	Mr. Williamſon	ay	
South-Carolina,	Mr. Izard	ay	ay
	Mr. Read	ay	
	Mr. Beresford	no	

So the queſtion was loſt.

On motion of the delegates of Pennſylvania,

Ordered, That the farther conſideration of the original motion be poſtponed, in order that the following declaration made by one of the delegates from Pennſylvania this morning, in his place, be entered on the journal, viz.

"The delegates of Pennſylvania are authorized by the preſident and council of that ſtate, to declare in the moſt reſpectful terms to Congreſs, that their return to Philadelphia is ſincerely deſired by the preſident and council, as an event which would give them the greateſt ſatisfaction."

The conſideration of the original motion was again reſumed, and after further debate, an adjournment was called for and agreed to.

THURSDAY, AUGUST 14, 1783.

Mr. Elbridge Gerry, a delegate for the ſtate of Maſſachuſetts, attended and took his ſeat.

Congreſs having reſumed the conſideration of the motion of Mr. Howell, which was under debate yeſterday.

A motion was made by Mr. Duane, ſeconded by Mr. B. Huntington, that the farther conſideration of the ſame be poſtponed.

And on the queſtion for poſtponing, the yeas and nays being required by Mr. Howell.

New-Hampſhire,	Mr. Foſter	*ay*	*
Maſſachuſetts,	Mr. Holten	*no*	*no*
	Mr. Higgenſon	*no*	
Rhode-Iſland,	Mr. Howell	*no*	*
Connecticut,	Mr. S. Huntington	*ay*	*ay*
	Mr. B. Huntington	*ay*	
New-York,	Mr. Duane	*ay*	*ay*
	Mr. L'Hommedieu	*ay*	
New-Jerſey,	Mr. Boudinot	*ay*	*no*
	Mr. Clarke	*no*	
	Mr. Condict	*no*	
Pennſylvania,	Mr. Wilſon	*ay*	*ay*
	Mr. Montgomery	*ay*	
	Mr. Peters	*ay*	
Maryland,	Mr. Carroll	*ay*	*ay*
	Mr. M'Henry	*ay*	
Virginia,	Mr. Bland	*no*	*no*
	Mr. Lee	*no*	
North-Carolina,	Mr. Hawkins	*no*	*divided*
	Mr. Williamſon	*ay*	
South-Carolina,	Mr. Izard	*ay*	*ay*
	Mr. Read	*ay*	
	Mr. Beresford	*no*	

So the queſtion was loſt.

On the queſtion to agree to the main queſtion, the yeas and nays being required by Mr. Wilſon.

New-Hampſhire,	Mr. Foſter	*no*	*
Maſſachuſetts,	Mr. Holten	*no*	*no*
	Mr. Higgenſon	*no*	
Rhode-Iſland,	Mr. Howell	*no*	*
Connecticut,	Mr. S. Huntington	*no*	*no*
	Mr. B. Huntington	*no*	
New-York,	Mr. Duane	*no*	*no*
	Mr. L'Hommedieu	*no*	

New-Jerſey,

New Jerſey,	Mr. Boudinot	*ay*	
	Mr. Clarke	*no*	*no*
	Mr. Condict	*no*	
Pennſylvania,	Mr. Wilſon	*ay*	
	Mr. Montgomery	*ay*	*ay*
	Mr. Peters	*ay*	
Maryland,	Mr. Carroll	*ay*	
	Mr. M'Henry	*ay*	*ay*
Virginia,	Mr. Bland	*no*	
	Mr. Lee	*no*	*no*
North-Carolina,	Mr. Hawkins	*no*	
	Mr. Williamſon	*ay*	*divided*
South-Carolina,	Mr. Izard	*no*	
	Mr. Read	*ay*	*no*
	Mr. Beresford	*no*	

So the queſtion was loſt.

FRIDAY, AUGUST 15, 1783.

A letter of Auguſt 12th, from major general R. Howe, enclosing the proceedings of a general court martial, on the trials of ſerjeants Nagle and Morriſon, for mutiny, having been read.

Reſolved, That the preſident inform major general Howe, that it is the pleaſure of Congreſs, that the execution of the ſentences againſt the ſeveral offenders who have been convicted of mutiny by the general court martial now ſitting at Philadelphia, be ſuſpended, until ten days after a full report of all the proceedings of the ſaid court martial reſpecting the mutiny, ſhall have been laid before Congreſs, of which the preſident ſhall give general Howe official information.

MONDAY, AUGUST 18, 1783.

On motion of Mr. A. Lee, ſeconded by Mr. Howell,

Reſolved, That the ſuperintendant of finance lay before Congreſs, an eſtimate of the foreign and domeſtic debt due from the United States, together with the intereſt on the ſame to become due in 1784.

TUESDAY

TUESDAY, AUGUST 19, 1783.

A motion was made by Mr. A. Lee, ſeconded by Mr. Howell,

That the ſuperintendant of finance lay before Congreſs, an account of the annual intereſt that was payable in Europe on loan office certificates, together with an account of the bills drawn for the payment of ſuch intereſt, for the year 1782, and the ſums retained in France for that purpoſe. On which the yeas and nays being required by Mr. Lee.

New-Hampſhire,	Mr. Foſter	ay	*
Maſſachuſetts,	Mr. Gerry	ay	
	Mr. Holten	ay	ay
	Mr. Higgenſon	ay	
Rhode-Iſland,	Mr. Ellery	ay	
	Mr. Howell	ay	ay
Connecticut,	Mr. S. Huntington	ay	
	Mr. B. Huntington	ay	ay
New-York,	Mr. Duane	ay	
	Mr L'Hommedieu	ay	ay
New-Jerſey,	Mr. Boudinot	ay	
	Mr Clarke	ay	ay
Maryland,	Mr. Carrol	ay	*
Virginia,	Mr. Bland	ay	
	Mr. Mercer	ay	ay
	Mr. Lee	ay	
North-Carolina,	Mr. Hawkins	ay	
	Mr. Williamſon	no	divided
South-Carolina,	Mr. Izard	ay	
	Mr. Beresford	ay	ay

So it paſſed in the affirmative.

THURSDAY, AUGUST 21, 1783.

On motion of Mr. Lee, ſeconded by Mr. Bland:

Whereas it is ſtipulated in the ſeventh article of the preliminaries, agreed upon the 30th day of November 1782, between the plenipotentiaries of his Britannic majeſty and of the United States, "That the king of Great-Britain

Britain ſhall order, and cauſe all archives, records, deeds and papers belonging to any of the ſaid ſtates, or their citizens, which in the courſe of the war may have fallen into the hands of his officers, to be forthwith reſtored, and delivered to the proper ſtates and perſons to whom they belong."

Reſolved, That the commander in chief be directed to make application to his Britannic majeſty's generals, commanding at New-York and Quebec, for the immediate delivery, to perſons authorized to receive them, of all archives, records, deeds and papers belonging to any of the United States, or to any of their citizens, which may have fallen into the hands of any of his Britannic majeſty's officers during the courſe of the war.

Ordered, That copies of the foregoing reſolution be ſent to the ſeveral ſtates

MONDAY, AUGUST 25, 1783.

Congreſs being informed of the arrival of the commander in chief in the neighbourhood of Princeton,

Ordered, That he have an audience in Congreſs to-morrow at twelve o'clock.

TUESDAY, AUGUST 26, 1783.

According to order, general Waſhington attended, and being introduced by two members, the preſident addreſſed him as follows.

SIR,

CONGRESS feel particular pleaſure in ſeeing your excellency, and in congratulating you on the ſucceſs of a war, in which you have acted ſo conſpicuous a part.

It has been the ſingular happineſs of the United States, that during a war ſo long, ſo dangerous, and ſo important, Providence has been graciouſly pleaſed to preſerve the life of a general, who has merited and poſſeſſed the uninterrupted confidence and affection of his fellow citizens. In other nations many have performed ſervices, for which they

they have deſerved and received the thanks of the public. But to you, Sir, peculiar praiſe is due. Your ſervices have been eſſential in acquiring and eſtabliſhing the freedom and independence of your country. They deſerve the grateful acknowledgments of a free and independent nation. Thoſe acknowledgments, Congreſs have the ſatisfaction of expreſſing to your excellency.

Hoſtilities have now ceaſed, but your country ſtill needs your ſervices. She wiſhes to avail herſelf of your talents in forming the arrangements which will be neceſſary for her in the time of peace. For this reaſon your attendance at Congreſs has been requeſted. A committee is appointed to conſer with your excellency, and to receive your aſſiſtance in preparing and digeſting plans relative to thoſe important objects.

To which his excellency made the following reply.

Mr. PRESIDENT,

I AM too ſenſible of the honorable reception I have now experienced, not to be penetrated with the deepeſt feelings of gratitude.

Notwithſtanding Congreſs appear to eſtimate the value of my life beyond any ſervices, I have been able to render the United States, yet I muſt be permitted to conſider the wiſdom and unanimity of our national councils, the firmneſs of our citizens and the patience and bravery of our troops, which have produced ſo happy a termination of the war, as the moſt conſpicuous effect of the divine interpoſition, and the ſureſt preſage of our future happineſs.

Highly gratified by the favourable ſentiments which Congreſs are pleaſed to expreſs of my paſt conduct, and amply rewarded by the confidence and affection of my fellow citizens; I cannot heſitate to contribute my beſt endeavours towards the eſtabliſhment of the national ſecurity in whatever manner the ſovereign power may think proper to direct, until the ratification of the definitive treaty of peace, or the final evacuation of our country by the Britiſh forces; after either of which events, I ſhall aſk permiſſion to retire to the peaceful ſhade of private life.

Perhaps

Perhaps Sir, no occaſion may offer more ſuitable than the preſent to expreſs my humble thanks to God and my grateful acknowledgments to my country, for the great and uniform ſupport I have received in every viciſſitude of fortune, and for the many diſtinguiſhed honors which Congreſs have been pleaſed to confer upon me in the courſe of the war.

WEDNESDAY, AUGUST 27, 1783.

A motion was made by Mr. Bland, ſeconded by Mr. Holten, that Congreſs will on Friday next, reſolve itſelf into a committee of the whole, to take into conſideration what powers exiſt in Congreſs, by the confederation, for the purpoſe of forming a military peace eſtabliſhment.

A motion was made by Howell, ſeconded by Mr. Ellery, to amend, by inſerting after "conſideration," the words "whether any and," and on the queſtion to agree to this amendment, the yeas and nays being required by Mr. Ellery.

New-Hampſhire,	Mr. Foſter	*ay*	*
Maſſachuſetts,	Mr. Holten	*no*	*divided*
	Mr. Higgenſon	*ay*	
Rhode-Iſland,	Mr. Ellery	*ay*	*ay*
	Mr. Howell	*ay*	
Connecticut,	Mr. S. Huntington	*ay*	*divided*
	Mr. B. Huntington	*no*	
New-York,	Mr. Duane	*no*	*divided*
	Mr. L'Hommedieu	*ay*	
New-Jerſey,	Mr. Boudinot	*no*	*divided*
	Mr. Condict	*ay*	
Pennſylvania,	Mr. Montgomery	*no*	*no*
	Mr. Peters	*no*	
Maryland,	Mr. Carroll	*no*	*no*
	Mr. M'Henry	*no*	
Virginia,	Mr. Jones	*no*	*no*
	Mr. Madiſon	*ay*	
	Mr. Bland	*no*	
	Mr. Lee	*ay*	
	Mr. Mercer	*no*	

North-Carolina,

North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Read	no	divided
	Mr. Beresford	ay	

So the queſtion was loſt.

A motion was made by Mr. Williamſon, ſeconded by Mr. Read, to poſtpone the conſideration of the main queſtion, in order to conſider the following propoſition.

That on Friday next, Congreſs will go into a committee of the whole, to conſider the queſtion of a peace eſtabliſhment; and on the queſtion to poſtpone for the purpoſe aforeſaid, the yeas and nays being required by Mr. Holten.

New-Hampſhire,	Mr. Foſter	no	no*
Maſſachuſetts,	Mr. Higgenſon	no	no
	Mr. Holten	no	
Rhode-Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	divided
	Mr. Condict	no	
Pennſylvania,	Mr. Montgomery	ay	ay
	Mr. Peters	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	no	
	Mr. Lee	no	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Read	ay	ay
	Mr. Beresford	ay	

So the queſtion was loſt.

THURSDAY, AUGUST 28, 1783.

The delegates for Pennſylvania laid before Congreſs an

an extract from the minutes of the general assembly of that state, which was read, and is as follows.

"State of Pennsylvania, In General Assembly.
Monday, August 25, 1783, A. M.

Agreeable to the order of the day, the house went into the consideration of the report on the subject of national credit, read August 22d instant; whereupon

Resolved unanimously, That Mr. Ruth, Mr. Whitehill and Mr. Hoge, be a committee to prepare and bring in a bill conformable to the resolution of Congress of April 18th 1783, inserting a clause for repealing the act entitled, "An act to vest in the Congress of the United States, a power to levy duties of five per centum ad valorem, on certain goods and merchandize imported into this commonwealth, and on prizes and prize goods condemned in the court of admiralty of this state, after the first day of May one thousand seven hundred and eighty one, and for appropriating the same."

Resolved unanimously, That the measures Congress have taken in their resolution of the 18th of April last, to support and establish public and national credit, meet with the approbation of this house, and they will appropriate substantial and permanent funds, by taxes or otherwise, for supplying the continental treasury, with their quota as assigned in said resolution.

Resolved, unanimously, That this house do hereby authorize and direct their delegates in Congress, or any two of them to join with the delegates of the other states in Congress assembled, and properly authorized, in revoking and making void so much of the 8th article of confederation and perpetual union, between the Thirteen States of America, as is contained in the following words, viz.—"All charges of war, and all other expences that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the value of all land within such state granted to or surveyed for any person as such land, and the buildings and improvements thereon, shall be estimated according to

ſuch mode as the United States in Congreſs aſſembled, ſhall from time to time direct and appoint." And in place thereof to ſubſtitute the words following, viz.

"All charges of war, and all other expences that have been or ſhall be incurred for the common defence or general welfare, and allowed by the United States in Congreſs aſſembled, except ſo far as ſhall be otherwiſe provided for, ſhall be defrayed out of a common treaſury, which ſhall be ſupplied by the ſeveral ſtates in proportion to the whole number of white and other free citizens and inhabitants of every age, ſex and condition, including thoſe bound to ſervitude for a term of years, and three fifths of all other perſons not comprehended in the foregoing deſcription, except Indians not paying taxes in each ſtate, which number ſhall be triennally taken and tranſmitted to the United States in Congreſs aſſembled, in ſuch mode as they ſhall direct and appoint."

On the report of a committee conſiſting of Mr. Bland, Mr. Mercer and Mr. Holten, to whom was referred a letter of the 10th Auguſt from captain Winthrop Serjeant.

Reſolved, That captain Winthrop Serjeant be, and he is hereby promoted to the rank of major by brevet in the army of the United States.

The ordinance for prohibiting the ſettlement and purchaſe of certain lands, was read a ſecond time.

Ordered, That it be referred to a grand committee.

FRIDAY, AUGUST 29, 1783.

A letter of the 25th from Joſeph Bullock, one of the late managers of the lottery was read, ſtating that, "among the dead letters in the hands of the poſtmaſter general, are ſeveral packets containing tickets and letters—that the lottery accounts being now in the hands of the public auditors, thoſe vouchers are abſolutely neceſſary in the ſettlement of the ſame;" whereupon

Ordered, That the packets aforeſaid be delivered free to the ſaid Joſeph Bullock.

MONDAY, SEPTEMBER 1, 1783.

An act of the general aſſembly of Connecticut, authorizing the

the delegates of that ſtate, to agree to an alteration in the 8th of the articles of confederation as recommended by the act of the 18th of April laſt, was laid before Congreſs and read, as follows.

At a general aſſembly of the governor and company of the ſtate of Connecticut, holden at (L. S.) Hartford in the ſaid ſtate, on the ſecond Thurſday of May, Anno Domini, 1783.

WHEREAS the United States in Congreſs aſſembled, on the 18th day of April 1783, among other things reſolved, that a more convenient and certain rule of aſcertaining the proportions to be ſupplied by the ſtates reſpectively, to the common treaſury, the following alteration in the articles of confederation and perpetual union, between theſe ſtates, be, and the ſame is hereby agreed to in Congreſs; and the ſeveral ſtates are adviſed to authorize their reſpective delegates to ſubſcribe and ratify the ſame, as part of the ſaid inſtrument of union, in the words following, viz. So much of the 8th of the articles of confederation and perpetual union between the Thirteen States of America, as is contained in the words following, to wit: "All charges of war, and all other expences that ſhall be incurred for the common defence or general welfare, and allowed by the United States in Congreſs aſſembled, ſhall be defrayed out of a common treaſury, which ſhall be ſupplied by the ſeveral ſtates, in proportion to the value of all lands within each ſtate, granted to or ſurveyed for any perſon as ſuch land, and the buildings and improvements thereon, ſhall be eſtimated according to ſuch mode as the United States in Congreſs aſſembled, ſhall from time to time direct and appoint," is hereby revoked and made void, and in place thereof it is declared and concluded, the ſame having been agreed to in a Congreſs of the United States, "That all charges of war, and other expences that have been or ſhall be incurred for the common defence or general welfare, and allowed by the United States in Congreſs aſſembled, except ſo far as ſhall be otherwiſe provided for, ſhall be defrayed ont of a common treaſury, which ſhall be ſupplied by the ſeveral ſtates in proportion to the whole number of white and other free citizens and inhabitants of every age, ſex, and condition, including

including thoſe bound to ſervitude for a term of years and three fifths, of all other perſons not comprehended in the foregoing deſcription, except Indians not paying taxes in each ſtate, which number ſhall be triennally taken and tranſmitted to the United States in Congreſs aſſembled, in ſuch mode as they ſhall direct and appoint."

It is reſolved, and enacted by this aſſembly, That the delegates of this ſtate, in the Congreſs of the United States, or any two or more of them be, and they are hereby fully authorized and empowered on behalf of this ſtate, to ſubſcribe and ratify the aforerecited alteration in the 8th of the articles of confederation and perpetual union between the United States of America, as a part of the ſaid inſtrument of union."

The delegates for the ſtate of Pennſylvania, laid before Congreſs ſundry reſolutions of the general aſſembly of that ſtate, which were read and ordered to be entered on the journal as follows.

"State of Pennſylvania, In General Aſſembly.

Friday, Auguſt 29, 1783. A. M.

The report of the committee appointed to conſider of the moſt eligible means for the accommodation of Congreſs, ſhould that honorable body determine to reſide within this ſtate, read Auguſt 27th inſtant, was read the ſecond time; whereupon

Reſolved unanimouſly, That until Congreſs ſhall determine upon the place of their permanent reſidence it would be highly agreeable to this houſe, if that honorable body ſhould deem it expedient to return to and continue in the city of Philadelphia; in which caſe they offer to Congreſs the different apartments in the ſtate houſe and adjacent buildings which they formerly occupied for the purpoſe of tranſacting the national buſineſs therein.

Reſolved unanimouſly, That this houſe will take effectual meaſures to enable the executive of the ſtate to afford ſpeedy and adequate ſupport and protection to the honor and dignity of the United States in Congreſs, and the perſons of thoſe compoſing the Supreme Council of the nation aſſembled in this city.

Reſolved unanimouſly, That as this houſe is ſincerely diſpoſed to render the permanent reſidence of Congreſs in this

this ſtate, commodious and agreeable to that honorable body, the deſegates of this ſtate be inſtructed, to requeſt that Congreſs will be pleaſed to define what juriſdiction they deem neceſſary to be veſted in them, in the place wherein they ſhall permanently reſide."

THURSDAY, SEPTEMBER 4, 1783.

Major general Howe having tranſmitted to the preſident, "A full report of the proceedings of the court martial reſpecting the late mutiny."

Ordered, That they be laid before Congreſs on Tueſday next.

FRIDAY, SEPTEMBER 5, 1783.

A motion was made by Mr. Lee, ſeconded by Mr. Holten,

That the ſuperintendant of finance be directed to lay before Congreſs, an account of all the public monies which have been applied at home and abroad to the purchaſe of cloathing for the army ſince his coming into office; together with an account of what part of ſuch cloathing has been received, and how it has been diſpoſed of.

On the queſtion to agree to this, the yeas and nays being required by Mr. Lee.

New-Hampſhire,	Mr. Foſter	*ay*	*
Maſſachuſetts,	Mr. Gerry	*ay*	
	Mr. Holten	*ay*	*ay*
	Mr. Higgenſon	*ay*	
Rhode-Iſland,	Mr. Ellery	*ay*	*ay*
	Mr. Howell	*ay*	
Connecticut,	Mr. S. Huntington	*ay*	*ay*
	Mr. B. Huntington	*ay*	
New-York,	Mr. Duane	*ay*	*ay*
	Mr. L'Hommedieu	*ay*	
New-Jerſey,	Mr. Boudinot	*ay*	*
Pennſylvania,	Mr. Wilſon	*ay*	
	Mr. Montgomery	*ay*	*ay*
	Mr. Peters	*ay*	
Maryland,	Mr. Carroll	*no*	*divided*
	Mr. M'Henry	*ay*	

Virginia,

Virginia,	Mr. Bland	*ay*	
	Mr. Lee	*ay*	*ay*
	Mr. Mercer	*no*	
North-Carolina,	Mr. Hawkins	*ay*	*
South-Carolina,	Mr. Izard	*ay*	
	Mr. Read	*ay*	*ay*
	Mr. Beresford	*ay*	

So it was reſolved in the affirmative.

On motion of Mr. Lee, ſeconded by Mr. Holten,

Reſolved, That the ſecretary at war be directed to lay before Congreſs, copies of the returns from the cloathier general to him, of the cloathing which has been received by the ſaid cloathier general, ſince the firſt of January, 1781, to the preſent time; and alſo of the returns of cloathing on hand, every two months in that period, as directed by the regulations paſſed June 10th, 1781.

On motion of Mr. M'Henry, ſeconded by Mr. Lee,

Reſolved, That Friday next be aſſigned to decide on the place proper for a temporary reſidence of Congreſs.

On the report of a committee conſiſting of Mr. Ellery, Mr. A. Lee and Mr. Gerry, to whom was referred a letter of the 1ſt, from the agent of marine.

Reſolved, That the agent of marine be, and he is hereby directed to cauſe the ſhip Alliance to be unladen, and her cargo freighted to Europe on the beſt terms.

That the agent of marine diſcharge the officers and crew of the ſhip Alliance, cauſe her to be ſurveyed, and report to Congreſs the ſtate ſhe is in, with an eſtimate of the expence neceſſary to give her a good repair.

MONDAY, SEPTEMBER 8, 1783.

The preſident being abſent, Congreſs proceeded to the election of a chairman, for the purpoſe of keeping order; and the ballots being taken,

The honorable John Rutledge was elected.

TUESDAY SEPTEMBER 9, 1783.

The preſident, and the chairman elected yeſterday, being abſent, Congreſs proceeded to the election of another chairman,

chairman, for the purpoſe of keeping order; and the ballots being taken,

The honorable D. Carroll was elected.

A motion was made by Mr. Read, ſeconded by Mr. Mercer

That the ſecretary of Congreſs enquire of Mr. David C. Claypoole, printer of the Pennſylvania packet, dated September 9, 1783, by what means a copy of a letter printed in his paper, dated New-York, Auguſt 17, 1783, ſigned Guy Carleton, and directed to his excellency Elias Boudinot, eſquire, came to his hands.

A motion was made by Mr. Gerry, ſeconded by Mr. Higgenſon, That the motion be committed—And on the queſtion for committment, the yeas and nays being required by Mr. Howell.

New Hampſhire,	Mr. Foſter	*ay*	*
Maſſacuhſetts,	Mr Holten	*ay*	*ay*
	Mr. Higgenſon	*ay*	
Rhode-Iſland,	Mr. Ellery	*ay*	*divided*
	Mr. Howell	*no*	
Connecticut,	Mr. S. Huntington	*ay*	*ay*
	Mr. B. Huntington	*ay*	
New-York,	Mr. Duane	*ay*	*ay*
	Mr. L'Hommedieu	*ay*	
Pennſylvania,	Mr. Peters	*ay*	*
Maryland,	Mr. Carroll	*ay*	*ay*
	Mr. M'Henry	*ay*	
Virginia,	Mr. Bland	*no*	*no*
	Mr Lee	*ay*	
	Mr. Mercer	*no*	
North-Carolina,	Mr. Hawkins	*ay*	*ay*
	Mr. Williamſon	*ay*	
South Carolina,	Mr. Rutledge	*ay*	*ay*
	Mr. Izard	*ay*	
	Mr. Read	*no*	
	Mr. Beresford	*ay*	

So the queſtion was loſt.

On the queſtion to agree to the original motion, the yeas and nays being required by Mr. Howell.

New-Hampſhire,	Mr. Foſter	*no*	*
Maſſachuſetts,	Mr. Holten	*no*	*no*
	Mr. Higgenſon	*no*	

Rhode-Iſland,

Rhode-Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
Pennſylvania,	Mr. Peters	no	*
Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Bland	no	ay
	Mr. Lee	ay	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Rutledge	no	no
	Mr. Izard	no	
	Mr. Read	ay	
	Mr. Beresford	no	

So the queſtion was loſt.

According to order, the full report of the proceedings of the court martial, reſpecting the late mutiny, was laid before Congreſs.

Ordered, That the ſame be committed.

WEDNESDAY, SEPTEMBER 10, 1783.

On the report of a committee conſiſting of Mr. M'Henry, Mr. Peters and Mr. Duane, to whom was referred a report from the ſecretary at war, on a motion of Mr. Dyer.

Reſolved, That the ſecretary at war inform the paymaſter general, that brevet commiſſions do not entitle to pay or emoluments, unleſs the ſame be expreſſed in the reſolution granting ſuch commiſſions.

A motion was made by Mr. Lee, ſeconded by Mr. Holten,

That the ſuperintendant of finance and the treaſurer, be directed to lay before Congreſs an account of all the notes which have been iſſued by them on the credit of the United States, together with an account of what part of thoſe notes are now in circulation.

Whereupon it was moved by Mr. Read, ſeconded by Mercer, That the ſaid motion be poſtponed, in order to take up the following

That

That the houſe proceed to appoint five committees, to be compoſed of five members each, for the purpoſes mentioned and pointed out by the act of Congreſs of the 17th June, 1782.

And on the queſtion to poſtpone for the purpoſe aforeſaid, the yeas and nays being required by Mr. Read.

New-Hampſhire,	Mr. Foſter	*no*	*
Maſſachuſetts,	Mr. Gerry	*no*	
	Mr. Holten	*no*	*no*
	Mr. Higgenſon	*no*	
Rhode-Iſland,	Mr. Ellery	*no*	
	Mr. Howell	*no*	*no*
Connecticut,	Mr. S. Huntington	*no*	
	Mr. B. Huntington	*ay*	*divided*
New-York,	Mr. Duane	*no*	
	Mr. L'Hommedieu	*no*	*no*
Pennſylvania,	Mr. Peters	*ay*	*
Maryland,	Mr. Carroll	*ay*	
	Mr. M'Henry	*no*	*divided*
Virginia,	Mr. Bland	*no*	
	Mr. Lee	*no*	*no*
	Mr. Mercer	*ay*	
North-Carolina,	Mr. Hawkins	*no*	*
South-Carolina,	Mr. Rutledge	*ay*	
	Mr. Izard	*ay*	
	Mr. Read	*ay*	*ay*
	Mr. Beresford	*no*	

So the queſtion was loſt.

On the queſtion to agree to the original motion, the yeas and nays being required by Mr. A. Lee.

New-Hampſhire,	Mr. Foſter	*ay*	*
Maſſachuſetts,	Mr. Gerry	*ay*	
	Mr. Holten	*ay*	*ay*
	Mr. Higgenſon	*ay*	
Rhode-Iſland,	Mr. Ellery	*ay*	
	Mr. Howell	*ay*	*ay*
Connecticut,	Mr. S. Huntington	*ay*	
	Mr. B. Huntington	*ay*	*ay*
New-York,	Mr. Duane	*ay*	
	Mr. L'Hommedieu	*ay*	*ay*
Pennſylvania,	Mr. Peters	*ay*	*

Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Bland	ay	ay
	Mr. Lee	ay	
	Mr. Mercer	no	
South Carolina,	Mr. Rutledge	ay	ay
	Mr. Izard	ay	
	Mr. Read	no	
	Mr. Beresford	ay	

So it was resolved,

That the superintendant of finance, and the treasurer be, and they are hereby directed to lay before Congress, an account of all the notes which have been issued by them on the credit of the United States, together with an account of what part of those notes are now in circulation.

It was then moved by Mr. Read, seconded by Mr. Holten,

That Congress proceed to morrow to appoint five committees, to be composed of five members each, for the purposes mentioned and pointed out by the act of Congress of the 17th June, 1782.

On the question to agree to this, the yeas and nays being required by Mr. Carroll.

Massachusetts,	Mr. Gerry	ay	ay
	Mr Holten	ay	
	Mr. Higgenson	ay	
Rhode-Island,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
Pennsylvania,	Mr. Peters	ay	*
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Bland	ay	ay
	Mr Lee	ay	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	*

South Carolina,

South-Carolina,	Mr. Rutledge	ay	ay.
	Mr. Izard	ay	
	Mr. Read	ay	

So it was reſolved in the affirmative.

A motion was made by Mr. Mercer, ſeconded by Mr. Read, in the words following.

Whereas the offices of Congreſs have been ever open to the members thereof for information; and the late removal of Congreſs from Philadelphia, having rendered acceſs to the office of finance inconvenient to the members; *Reſolved* therefore, that the ſuperintendant of finance be directed to tranſmit any information relating to that office which ſhall be required by a member of Congreſs.

A motion was made by Mr. Howell, ſeconded by Mr. Higgenſon, that the preamble be ſtruck out—And on the queſtion, Shall the preamble ſtand? The yeas and nays being required by Mr. Mercer.

Maſſachuſetts,	Mr. Gerry	no	no
	Mr. Holten	no	
	Mr. Higgenſon	no	
Rhode-Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
Pennſylvania,	Mr. Peters	ay	*
Maryland,	Mr Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Bland	ay	ay
	Mr. Lee	ay	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	*
SouthCarolina,	Mr. Rutledge	no	ay
	Mr. Izard	ay	
	Mr. Read	ay	

So the queſtion was loſt, and the preamble was ſtruck out.

The previous queſtion was then moved on the reſolution by the ſtate of New-York, and ſeconded by the ſtate of

of Connecticut—And on the queſtion to agree to the previous queſtion, the yeas and nays being required by Mr. Mercer.

Maſſachuſetts,	Mr. Gerry	ay	ay
	Mr. Holten	ay	
	Mr. Higgenſon	ay	
Rhode-Iſland,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	av	ay
	Mr. L'Hommedieu	ay	
Pennſylvania,	Mr. Peters	ay	*
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Lee	no	no
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	ay	*
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Izard	ay	
	Mr. Read	ay	

So the previous queſtion was loſt.

THURSDAY, SEPTEMBER 11, 1783.

On motion of Mr. M'Henry, ſeconded by Mr. Peters,

Reſolved, That the ſecretary at war be, and he is hereby directed to iſſue to captain North, aid de camp to major general the baron Steuben, the brevet commiſſion of major in the army of the United States.

Congreſs reſumed the conſideration of the report of the committee on the ceſſion of Virginia; after debate a motion was made by Mr. M'Henry, ſeconded by Mr. Carroll,

That the conſideration of the report on the ceſſion from Virginia, be poſtponed till Thurſday next, in order that notice may be given to the ſtates of New-Jerſey and Delaware, or thoſe ſtates which it may be reaſonably expected can give their attendance.

A motion was made by Mr. Higgenſon, ſeconded by Mr. Holten, to ſtrike out what follows the words "Thurſday

day next"—And on the queſtion, Shall thoſe words ſtand? the yeas and nays being required by Mr. Carroll,

New-Hampſhire,	Mr. Foſter	no	*
Maſſachuſetts,	Mr. Holten	no	no
	Mr. Higgenſon	no	
Rhode-Iſland,	Mr. Ellery	ay	divided
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr Duane	no	no
	Mr. L'Hommedieu	no	
Pennſylvania,	Mr. Fitzſimmons	no	no
	Mr. Montgomery	ay	
	Mr. Peters	no	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Bland	no	no
	Mr. Lee	ay	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Rutledge	no	no
	Mr. Izard	no	
	Mr. Read	no	
	Mr. Beresford	no	

So it paſſed in the negative, and the words were ſtruck out.

On the queſtion to agree to the motion as amended, the yeas and nays being required by Mr. Bland.

New-Hampſhire,	Mr. Foſter	no	*
Maſſachuſetts,	Mr. Holten	no	no
	Mr. Higgenſon	no	
Rhode-Iſland,	Mr. Ellery	ay	divided
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
Pennſylvania,	Mr. Fitzſimmons	no	no
	Mr. Montgomery	ay	
	Mr. Peters	no	

Maryland,

Maryland,	Mr. Carroll	*ay*	*ay*
	Mr. M'Henry	*ay*	
Virginia,	Mr. Bland	*no*	*no*
	Mr. Lee	*no*	
	Mr. Mercer	*no*	
North Carolina,	Mr. Hawkins	*no*	*no*
	Mr. Williamſon	*no*	
South-Carolina,	Mr. Rutledge	*no*	*no*
	Mr. Izard	*no*	
	Mr. Read	*no*	
	Mr. Beresford	*ay*	

So it paſſed in the negative.

SATURDAY, SEPTEMBER 13, 1783.

A memorial from the honorable the miniſter plenipotentiary of France, was read, encloſing a commiſſion of chevalier D'Annemours conſul general of France, in the ſtate of Maryland, the commonwealth of Virginia, and the ſtates of North-Carolina, South-Carolina and Georgia; whereupon

Ordered, That the commiſſion be regiſtered, and that it be recognized, and an exequatur iſſued in due form.

Congreſs reſumed the conſideration of the report of the committee on the Virginia ceſſion, and the ſame being amended, a motion was made by Mr. Carroll, ſeconded by Mr. M'Henry, to poſtpone the further conſideration of the report, in order to take up the following.

"Whereas by the ſixth article of the preliminary articles of peace between his Britannic majeſty, and their moſt Chriſtian, and Catholic majeſties, ſigned on the third day of November 1762, and ratified the 10th day of February 1763, it is ſtipulated and agreed, that, "the confines between the dominions of Great Britain and France, on the continent of North America, ſhall be irrevocably fixed by a line drawn along the middle of the river Miſſiſippi, from its ſource as far as the river Iberville, and from thence by a line drawn along the middle of this river, and of the lakes Maurepas and Pontchartrain to the ſea; and to this purpoſe the moſt Chriſtian king ceded in full right, and guarantees to his Britannic majeſty, the river

and

and port of Mobile, and every thing that he poſſeſſes on the left ſide of the river Miſſiſippi, except the town of New-Orleans, and the iſland on which it is ſituated, which ſhall remain to France; provided that the navigation of the river Miſſiſippi, ſhall be equally free to the ſubjects of Great Britain and France, in its whole breadth and length, from its ſource to the ſea, and that part expreſſly which is between the ſaid iſland of New-Orleans, and the right bank of that river, as well as the paſſage both in and out of its mouth. And whereas by the nineteenth article of the ſaid treaty, his Catholic majeſty cedes and guarantees in full right to his Britannic majeſty, all that Spain poſſeſſes in the continent of North-America, to the eaſt or to the ſouth eaſt of the river Miſſiſippi." And whereas by the articles of treaty between Great-Britain, and the United States, done at Paris the 30th day of November 1782, the boundaries of the United States are ſet forth, deſcribed and agreed to be by the ſecond article of the ſaid treaty, viz. "From the north weſt angle of Nova-Scotia, viz. that angle which is formed by a line drawn due north from the ſource of Saint-Croix river, to the Highlands which divide thoſe rivers that empty themſelves into the river Saint Lawrence from thoſe which fall into the Atlantic Ocean, to the north-weſternmoſt head of Connecticut river, thence down along the middle of that river to the forty-fifth degree of north latitude; from thence by a line due weſt on ſaid latitude, until it ſtrikes the river Iroquois or Cataraquy; thence along the middle of ſaid river into lake Ontario, through the middle of ſaid lake until it ſtrikes the communication by water between that lake and lake Erie; thence along the middle of ſaid communication into lake Erie, through the middle of ſaid lake until it arrives at the water communication between that lake and lake Huron; thence along the middle of ſaid water communication into lake Huron; thence through the middle of the ſaid lake to the water communication between that and lake Superior; thence through lake Superior northward of the iſles, Royal and Philipeaux, to the Long lake; thence through the middle of ſaid Long lake and the water communication between it and the lake of the Woods, to the ſaid lake of the Woods; thence through the

ſaid

ſaid lake to the moſt north-weſtern point thereof, and from thence on a due weſt courſe to the river Miſſiſippi; thence by a line to be drawn along the middle of the ſaid river Miſſiſippi, until it ſhall interſect the northernmoſt part of the thirty-firſt degree of north latitude. South by a line to be drawn due eaſt from the determination of the line laſt mentioned, in the latitude of thirty-one degrees north of the equator, to the middle of the river Apalachicola or Catahouche; thence along the middle thereof to its junction with the Flint river; thence ſtraight to the head of Saint Mary's river; and thence down along the middle of Saint Mary's river to the Atlantic Ocean. Eaſt by a line to be drawn along the middle of the river Saint-Croix, from its mouth in the bay of Fundy to its ſource, and from its ſource directly north to the aforeſaid Highlands which divide the rivers that fall into the Atlantic Ocean from thoſe which fall into the river Saint-Lawrence: comprehending all iſlands within twenty leagues of any part of the ſhores of the United States, and lying between lines to be drawn due eaſt from the points where the aforeſaid boundaries between Nova Scotia on the one part, and Eaſt Florida on the other, ſhall reſpectively touch the bay of Fundy, and the Atlantic Ocean; excepting ſuch iſlands as now are or heretofore have been within the limits of the ſaid province of Nova-Scotia."

And whereas by the 6th and 11th articles of the treaty of alliance, eventual and defenſive, between the moſt Chriſtian king, and the United States, ſigned at Paris the 6th of February 1778, and ratified by the United States in Congreſs aſſembled, the 4th day of May 1778, the moſt Chriſtian king renounces for ever the poſſeſſion of the iſlands of Bermudas, as well as of any part of the continent of North-America, which before the treaty of Paris in 1763, or in virtue of that treaty were acknowledged to belong to the crown of Great-Britain or to the United States, heretofore called Britiſh colonies, or which are at this time, or have lately been under the power of the king and crown of Great-Britain, and guarantees to the United States, their poſſeſſions and the additions or conqueſts that their confederation may obtain during the war, from any of the dominions now or heretofore poſſeſſed by Great-Britain in North-America. And whereas the territory ceded and guarantee

guaranteed as aforesaid, comprehends a large extent of country lying without the lines, limits or acknowledged boundaries of any of the United States, over which, or any part of which, no state can or ought to exercise any sovereign, legislative or jurisdictional faculty, the same being acquired under the confederation, and by the joint and united efforts of all. And whereas several of the states acceded to the confederation under the idea held forth by the state of Maryland, in her instructions to her delegates, entered on the journals of Congress, May 21st, 1779, viz. "That a country unsettled at the commencement of this war, claimed by the British crown, and ceded to it by the treaty of Paris, if wrested from the common enemy, by the blood and treasure of the thirteen states, should be considered as a common property, subject to be parcelled out by Congress, into free, convenient and independent governments, in such manner, and at such times, as the wisdom of that assembly shall hereafter direct." And whereas the said state of Maryland, especially for herself, provides and declares, in an act entered on the journals of Congress, the 12th February, 1781, entitled, An act to empower the delegates of this state in Congress, to subscribe and ratify the articles of confederation, viz. "That by acceding to the said confederation, this state doth not relinquish, or intend to relinquish any right or interest she hath with the other united or confederated states, to the back country; but claims the same as fully as was done by the legislature of this state, in their declaration which stands entered on the journals of Congress; this state relying on the justice of the several states hereafter, as to the said claim made by this state." And whereas the United States have succeeded to the sovereignty over the western territory, and are thereby vested as one undivided and independent nation, with all and every power and right exercised by the king of Great Britain, over the said territory, or the lands lying and situated without the boundaries of the several states, and within the limits above described; and whereas the western territory ceded by France and Spain to Great-Britain, relinquished to the United States by Great Britain, and guaranteed to the United States by France as

aforeſaid, if properly managed, will enable the United States to comply with their promiſes of land to their officers and ſoldiers; will relieve their citizens from much of the weight of taxation; will be a means of reſtoring national credit, and if caſt into new ſtates, will tend to encreaſe the general happineſs of mankind, by rendering the purchaſe of land eaſy, and the poſſeſſion of liberty permanent; therefore

Reſolved, That a committee be appointed to report the territory lying without the boundaries of the ſeveral ſtates, and within the limits of the United States, and to report the moſt eligible part or parcels thereof, for one or more convenient and independent ſtates; and alſo to report an eſtabliſhment for a land office."

On the queſtion to poſtpone for the purpoſe aforeſaid, the yeas and nays being required by Mr. Carroll.

New-Hampſhire,	Mr. Foſter	*ay*	*
Maſſachuſetts,	Mr. Holten	*no*	*no*
	Mr. Higgenſon	*no*	
Rhode-Iſland,	Mr. Ellery	*no*	*no*
	Mr. Howell	*no*	
Connecticut,	Mr S. Huntington	*no*	*no*
	Mr. B. Huntington	*no*	
New-York,	Mr. Duane	*no*	*no*
	Mr. L'Hommedieu	*no*	
New-Jerſey,	Mr Boudinot	*ay*	*ay*
	Mr. Clarke	*ay*	
Pennſylvania,	Mr. Fitzſimmons	*no*	*no*
	Mr. Montgomery	*ay*	
	Mr. Peters	*no*	
Maryland,	Mr. Carroll	*ay*	*ay*
	Mr. M'Henry	*ay*	
Virginia,	Mr. Jones	*no*	*no*
	Mr. Madiſon	*no*	
	Mr. Bland	*no*	
	Mr. Lee	*no*	
	Mr. Mercer	*no*	
North-Carolina,	Mr. Hawkins	*no*	*no*
	Mr. Williamſon	*no*	

South-

South-Carolina,	Mr. Rutledge	no	
	Mr. Read	no	no
	Mr. Beresford	no	

So the queſtion was loſt.

The report as amended, is as follows.

The committee conſiſting of Mr Rutledge, Mr. Ellſworth, Mr. Bedford, Mr. Gorham and Mr. Madiſon, to whom were referred the act of the legiſlature of Virginia, of the 2d January, 1781, and the report thereon—report, That they have conſidered the ſeveral matters referred to them, and obſerve, that the legiſlature of Virginia, by their act of the 2d of January, 1781, reſolved that they would yield to the Congreſs of the United States, for the benefit of the ſaid ſtates, all right, title and claim which the ſaid commonwealth hath to the lands northweſt of the river Ohio, upon the following conditions, viz.

1. That the territory ſo ceded, ſhould be laid out and formed into ſtates, containing a ſuitable extent of territory, not leſs than one hundred, nor more than one hundred and fifty miles ſquare, or as near thereto as circumſtances will admit: and that the ſtates ſo formed, ſhould be diſtinct republican ſtates, and admitted members of the federal union; having the ſame rights of ſovereignty, freedom and independence as the other ſtates.

2. That Virginia ſhould be allowed and fully reimburſed by the United States, her actual expences in reducing the Britiſh poſts at the Kaſkaſkies and St. Vincents, the expences of maintaining garriſons and ſupporting civil government there, ſince the reduction of the ſaid poſts, and in general all the charge ſhe has incurred on account of the country on the northweſt ſide of the Ohio river, ſince the commencement of the preſent war.

3. That the French and Canadian inhabitants and other ſettlers of the Kaſkaſkies, St. Vincents, and the neighbouring villages, who have profeſſed themſelves citizens of Virginia, ſhould have their poſſeſſions and titles confirmed to them, and ſhould be protected in the enjoyment of their rights and liberties; for which purpoſe troops ſhould be ſtationed there at the charge of the United States, to protect them from the encroachments of the Britiſh forces at Detroit or elſewhere, unleſs the events of the war ſhould render it impracticable.

4.

4. As colonel George Rogers Clarke planned and executed the ſecret expedition by which the Britiſh poſts were reduced, and was promiſed if the enterprize ſucceeded, a liberal gratuity in lands in that country, for the officers and ſoldiers who firſt marched thither with him; that a quantity of land not exceeding one hundred and fifty thouſand acres, ſhould be allowed and granted to the ſaid officers and ſoldiers, and the other officers and ſoldiers that have been ſince incorporated into the ſaid regiment, to be laid off in one tract, the length of which not to exceed double the breadth, in ſuch place on the northweſt ſide of the Ohio as the majority of the officers ſhould chuſe, and to be afterwards divided among the ſaid officers and ſoldiers, in due proportion according to the laws of Virginia.

5. That in caſe the quantity of good lands on the ſoutheaſt ſide of the Ohio, upon the waters of Cumberland river, and between the Green river and Teneſee river, which have been reſerved by law for the Virginia troops upon continental eſtabliſhment, ſhould from the North Carolina line, bearing in further upon the Cumberland lands than was expected, prove inſufficient for their legal bounties, the deficiency ſhould be made up to the ſaid troops in good lands, to be laid off between the rivers Scioto and little Miamis, on the northweſt ſide of the river Ohio, in ſuch proportions as have been engaged to them by the laws of Virginia.

6. That all the lands within the territory ſo ceded to the United States, and not reſerved for or appropriated to any of the before mentioned purpoſes, or diſpoſed of in bounties to the officers and ſoldiers of the American army, ſhould be conſidered as a common fund for the uſe and benefit of ſuch of the United American States, as have become or ſhall become members of the confederation or federal alliance of the ſaid ſtates, Virginia inclusive, according to their uſual reſpective proportions in the general charge and expenditure, and ſhould be faithfully and bona fide diſpoſed of for that purpoſe, and for no other uſe or purpoſe whatſoever.

7. And therefore that all purchaſes and deeds from any Indian or Indians, or from any Indian nation or nations,

tions, for any lands within any part of the ſaid territory which have been or ſhould be made for the uſe or benefit of any private perſon or perſons whatſoever, and royal grants within the ceded territory, inconſiſtent with the chartered rights, laws and cuſtoms of Virginia, ſhould be deemed and declared abſolutely void and of no effect, in the ſame manner as if the ſaid territory had ſtill remained ſubject to and part of the commonwealth of Virginia.

8. That all the remaining territory of Virginia, included between the Atlantic ocean and the ſoutheaſt ſide of the river Ohio, and the Maryland, Pennſylvania and North Carolina boundaries, ſhould be guaranteed to the commonwealth of Virginia, by the ſaid United States.

Whereupon your committee are of opinion, that the firſt condition is provided for by the act of Congreſs of the 10th October 1780.

That in order to comply with the ſecond condition ſo far as has been heretofore provided for by the act of the 10th of October, 1780, it is agreed that one commiſſioner ſhould be appointed by Congreſs, one by the ſtate of Virginia, and another by thoſe two commiſſioners, who, or a majority of whom, ſhould be authorized and empowered to adjuſt and liquidate the account of the neceſſary and reaſonable expences incurred by the ſaid ſtate, which they may judge to be comprized within the true intent and meaning of the ſaid recited act.

With reſpect to the third condition, the committee are of opinion, that the ſettlers therein deſcribed ſhould have their poſſeſſions and titles confirmed to them, and be protected in the enjoyment of their rights and liberties.

Your committee are further of opinion, that the fourth, fifth and ſixth conditions being reaſonable, ſhould be agreed to by Congreſs.

With reſpect to the ſeventh condition, your committee are of opinion, that it would be improper for Congreſs to declare the purchaſes and grants therein mentioned, abſolutely void and of no effect; and that the ſixth condition, engaging how the lands beyond the Ohio ſhall be diſpoſed of is ſufficient on this point.

As to the laſt condition, your committee are of opinion, that Congreſs cannot agree to guarantee to the commonwealth

wealth of Virginia, the land described in the said condition, without entering into a discussion of the right of the state of Virginia to the said land; and that by the acts of Congress it appears to have been their intention, which the committee cannot but approve, to avoid all discussion of the territorial rights of individual states, and only to recommend and accept a cession of their claims whatsoever they might be, to vacant territory. Your committee conceive this condition of a guarantee, to be either unnecessary or unreasonable; inasmuch as, if the land abovementioned is really the property of the state of Virginia, it is sufficiently secured by the confederation, and if it is not the property of that state, there is no reason or consideration for such guarantee.

Your committee therefore upon the whole recommend, that if the legislature of Virginia make a cession conformable to this report, Congress accept such cession.

On the question to agree to this report, the yeas and nays being required by Mr. Howell,

New-Hampshire,	Mr. Foster	no	*
Massachusetts,	Mr. Gerry	ay	
	Mr. Holten	ay	ay
	Mr. Higginson	ay	
Rhode-Island,	Mr. Ellery	ay	
	Mr. Howell	ay	ay
Connecticut,	Mr. S. Huntington	ay	
	Mr. B. Huntington	ay	ay
New-York,	Mr. Duane	ay	
	Mr. L'Hommedieu	ay	ay
New-Jersey,	Mr. Boudinot	no	
	Mr. Clarke	no	no
Pennsylvania,	Mr. Fitzsimmons	ay	
	Mr. Montgomery	no	ay
	Mr. Peters	ay	
Maryland,	Mr. Carroll	no	
	Mr. M'Henry	no	no
Virginia,	Mr. Jones	ay	
	Mr. Madison	ay	
	Mr. Bland	ay	ay
	Mr. Lee	ay	
	Mr. Mercer	ay	

North-

North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Rutledge	ay	ay
	Mr. Read	ay	
	Mr. Beresford	no	

So it was reſolved in the affirmative.

On the report of a committee conſiſting of Mr. Duane, Mr. Rutledge and Mr. Read, to whom were referred certain papers reſpecting the mutiny of a part of the continental troops of the Pennſylvania line,

Congreſs agreed to the following act and reſolutions.

The UNITED STATES in CONGRESS aſſembled.

To ALL to whom theſe preſents ſhall come, be ſeen or made known, ſend greeting:

WHEREAS at a general court martial, whereof brigadier general John Patterſon was preſident, lately held near the city of Philadelphia, in the ſtate of Pennſylvania, for the trial of perſons promoting or concerned in the late mutiny of part of the Pennſylvania line of continental troops, ſtationed at Lancaſter, and in the barracks of the city of Philadelphia, in the ſaid ſtate, Chriſtian Nagle and John Morriſon, late ſerjeants in the third Pennſylvania regiment, were ſeverally charged with, and convicted of a breach of the third article of the ſecond ſection of the rules and articles of war, and by award of ſaid court, were ſeverally ſentenced to ſuffer death. And whereas alſo, gunner Lilly and drummer Horn of the fourth or Pennſylvania artillery, and Thomas Flowers and William Carman, ſoldiers in the ſaid third Pennſylvania regiment, were ſeverally charged with, and convicted of a breach of the ſaid article and ſection of the rules and articles of war, and by award of the ſaid court, were ſeverally ſentenced to receive corporal puniſhment. And whereas the ſaid priſoners appear not to have been principals in the ſaid mutiny, and no lives having been loſt, nor any deſtruction

of

of property committed; NOW KNOW YE, That of ſpecial grace and mere motion, and by virtue of the power and authority veſted by the articles of confederation and perpetual union, the United States in Congreſs aſſembled have thought fit to pardon and remit, and by theſe preſents do grant, a full, free and abſolute pardon and remiſſion to the ſaid Chriſtian Nagle, John Morriſon, gunner Lilly, drummer Horn, Thomas Flowers and William Carman, and each of them, of all judgments or ſentences of death, or other corporal puniſhment, pains or penalties whatſoever given or awarded by the ſaid general court martial: And we do ſtrictly charge and command, all and ſingular our officers, civil and military, to forceaſe from longer moleſtation or impriſonment of the ſaid Chriſtian Nagle, John Morriſon, gunner Lilly, drummer Horn, Thomas Flowers and William Carman; and do further will and require, that they ſeverally from henceforth go free and acquit of their ſeveral convictions, judgments and ſentences aforeſaid.

DONE in Congreſs this thirteenth day of September, one thouſand ſeven hundred and eighty-three.

Reſolved, That the ſentences of the court martial acquitting captain Chriſtie, captain Symonds and lieutenant Huſton, be and they are hereby confirmed.

Reſolved, That the thanks of Congreſs be given to major general Robert Howe, for the prudence and propriety with which he executed the enquiry into the late mutiny of a part of the Pennſylvania line of continental troops.

MONDAY, SEPTEMBER 15, 1783.

On the report from the ſecretary at war:

Reſolved, That the commiſſion of lieutenant colonel by brevet, in the army of the United States, be iſſued to major Murnan.

On motion of Mr Carroll, ſeconded by Mr. M'Henry,

Reſolved, That general Waſhington have acceſs to the ſecret papers of Congreſs, under the ſame injunctions as members.

On

On the report of the agent of marine to whom was referred a memorial from John Jordan, James M'Kinſey and Joſeph Bruſſel, Congreſs came to the following reſolution, by the vote of nine ſtates.

Whereas John Jordon, James M'Kinſey and Joſeph Bruſſel, ordinary ſeamen belonging to the navy of the United States, have loſt their limbs in action, on board the ſhip Bonne Homme Richard, commanded by captain John Paul Jones, on the 23d day of September, 1779, fighting under the American flag

Reſolved, That the ſaid John Jordon, James M'Kinſey and Joſeph Bruſſel, be allowed for their ſupport, forty dollars per annum each, to be paid quarterly, and to commence from the time their pay ceaſed in the navy, until the further order of Congreſs.

TUESDAY SEPTEMBER 16, 1783.

Congreſs took into conſideration the report of a committee conſiſting of Mr. S. Huntington, Mr. Gerry and Mr. Foſter, to whom was referred a report on a letter of the 11th of July laſt, from the legiſlature of Maſſachuſetts, and the firſt part being amended ſo as to read,

That after the firſt Monday in November next, the eſtabliſhment and ſalaries of all officers in the marine department, excepting the agent of marine, ſhall terminate and ceaſe; and that from and after the ſaid firſt day of November next, dollars per annum, ſhall be allowed to the agent of marine, for managing the buſineſs of that department, and for payment of the clerks and contingent expences of the office—He ſhall appoint and remove at pleaſure all perſons employed under him, and be reſponſible for their conduct in office.

A motion was made by Mr. Bland, ſeconded by Mr. Howell, to ſtrike out the words, "excepting the agent of marine:" And on the queſtion ſhall thoſe words ſtand? the yeas and nays being required by Mr. Gerry.

New-Hampſhire,	Mr. Foſter	*no*	*
Maſſachuſetts,	Mr. Gerry	*ay*	
	Mr. Holten	*ay*	*ay*
	Mr. Higgenſon	*ay*	

Rhode Iſland,	Mr. Ellery	*ay*	*divided*
	Mr Howell	*no*	
Connecticut,	Mr. S Huntington	*ay*	*ay*
	Mr B. Huntington	*ay*	
New-York,	Mr. Duane	*ay*	*ay*
	Mr L'Hommedieu	*ay*	
New-Jerſey,	Mr. Boudinot	*ay*	*divided*
	Mr. Condict	*no*	
Maryland,	Mr. Carroll	*no*	*no*
	Mr M'Henry	*no*	
Virginia,	Mr. Jones	*ay*	*ay*
	Mr. Madiſon	*ay*	
	Mr. Bland	*no*	
North Carolina,	Mr. Hawkins	*ay*	*ay*
	Mr. Williamſon	*ay*	
South Carolina,	Mr. Read	*ay*	*ay*
	Mr. Beresford	*ay*	

So the queſtion was loſt, and the words were ſtruck out.

WEDNESDAY, SEPTEMBER 17, 1783.

On motion of Mr Duane, ſeconded by Mr. Gerry,

Whereas it is the duty of Congreſs at all times, but more eſpecially when their conſtituents are expoſed to heavy taxes, and the finances greatly embarraſſed, to embrace every opportunity to introduce oeconomy in the public expenditures. And whereas ſince a return of the bleſſings of peace, not only the buſineſs of many of the officers on the domeſtic civil liſt is decreaſed, but the charge of their ſubſiſtence is greatly moderated. And whereas by a change of ſyſtem in conducting the affairs of the United States, at foreign courts, great ſavings may be alſo made to the public.

Reſolved therefore, That a committee be appointed to conſider what reductions may be made in the civil liſt, and to report ſpecially on each department.

Ordered, That the committee conſiſt of five.

Ordered, That the firſt part of the report which was under conſideration yeſterday, ſo far as reſpects the civil liſt, be referred to the ſaid committee.

Congreſs then reſumed the conſideration of the report of

of the committee, to whom was referred the report on a letter of the 11th July, from the legiſlature of Maſſachuſetts, which is in the following words.

Whereas the legiſlatures, as well as the citizens of ſeveral ſtates, are oppoſed to the allowance of half pay to officers of the army, and alſo to the commutation, made by an act of Congreſs of 22d March laſt; and it is the requeſt of the delegates of ſuch ſtates, that the legiſlatures thereof may have an opportunity of effecting a compromiſe with the officers of their reſpective lines, and of enabling them to retain the affection and eſteem of their fellow citizens.

Reſolved, That the ſecretary at war be directed to tranſmit to the legiſlatures of the ſtates of Maſſachuſetts, Rhode-Iſland and Providence Plantations, and of ſuch other ſtates as may apply for the ſame, a liſt of the officers belonging to ſuch ſtates reſpectively, to whom half pay or the commutation has been promiſed by Congreſs, and of the ſums to thoſe officers ſeverally due, ſpecifying particularly the arrearages of their pay, cloathing and rations, to the firſt of January laſt, and the amount of the commutation; in order that the ſaid legiſlatures, if they ſhall deem it expedient, may reward the ſervices of the ſaid officers, in a way that ſhall be mutually agreeable to them.

That the public ſecurities which have been or may be iſſued to the ſaid officers, for their arrearages or commutation, and which in conſequence of a compromiſe may by them be aſſigned to their reſpective ſtates, ſhall be received by the ſuperintendant of finance, from ſuch ſtates, in payment of requiſitions of Congreſs: provided that ſuch officers as may not accept the propoſals of their reſpective ſtates, for rewarding their ſervices aforeſaid, ſhall be nevertheleſs entitled to the commutation, and every other emolument granted them by acts of Congreſs.

A motion was made by Mr. Ellery, ſeconded by Mr. Condict, to ſtrike out the words, "Provided that ſuch officers, &c," to the end: and on the queſtion, Shall thoſe words ſtand? the yeas and nays being required by Mr. Ellery,

New Hampſhire,

New-Hampſhire,	Mr. Foſter	ay	ay *
Maſſachuſetts,	Mr Gerry	ay	
	Mr Holten	ay	ay
	Mr Higgenſon	ay	
Rhode Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Montgomery	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South Carolina,	Mr. Read	ay	ay
	Mr. Beresford	ay	

So it was reſolved in the affirmative.

A motion was then made by Mr. Gerry, ſeconded by Mr. Holten, after the words "in payment of requiſitions of Congreſs," to add, "not appropriated to the payment of the intereſt of the public debt:" And on the queſtion to agree to this amendment, the yeas and nays being required by Mr. Gerry

New-Hampſhire,	Mr. Foſter	ay	ay *
Maſſachuſetts,	Mr. Gerry	ay	
	Mr. Holten	ay	ay
	Mr. Higgenſon	ay	
Rhode Iſland,	Mr. Ellery	no	divided
	Mr Howell	ay	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	

New-

New-York,	Mr. Duane	no	divided
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Condict	ay	
Pennſylvania,	Mr. Fitzſimmons	no	no
	Mr. Montgomery	no	
Maryland,	Mr. Carroll	no	no.
	Mr. M'Henry	no	
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Bland	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Read	no	divided
	Mr. Beresford	ay	

So the queſtion was loſt.

THURSDAY, SEPTEMBER 18, 1783.

Congreſs reſumed the conſideration of the report which was under debate yeſterday, and a motion was made by Mr. Bland. ſeconded by Mr. Hawkins, to ſtrike out the words, "The legiſlatures as well as the citizens of ſeveral ſtates," and to inſert in lieu thereof, "It appears from the letter of the 11th July, 1783, from the legiſlature of the ſtate of Maſſachuſetts, that the legiſlature of that ſtate:" And on the queſtion to agree to that amendment, the yeas and nays being required by Mr. Gerry.

New-Hampſhire,	Mr. Foſter	no	*
Maſſachuſetts,	Mr. Gerry	no	no
	Mr. Holten	no	
	Mr. Higgenſon	no	
Rhode-Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	

Penn.

Pennſylvania,	Mr. Fitzſimmons	ay	divided
	Mr. Montgomery	no	
Maryland,	Mr. M'Henry	ay	*
Virginia,	Mr. Jones	ay	
	Mr. Madiſon	ay	
	Mr. Bland	ay	ay
	Mr. Lee	no	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Read	ay	ay
	Mr. Beresford	ay	

So the queſtion was loſt.

A diviſion of the queſtion was called for; and on the queſtion to agree to the report, (including the preamble) as far as the word "provided," the yeas and nays being required by Mr. Gerry,

New-Hampſhire,	Mr. Foſter	ay	*
Maſſachuſetts,	Mr. Gerry	ay	
	Mr. Holten	ay	ay
	Mr. Higgenſon	ay	
Rhode-Iſland,	Mr. Ellery	ay	ay
	Mr Howell	ay	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	
	Mr. Clarke	ay	ay
	Mr Condict	ay	
Pennſylvania,	Mr. Fitzſimmons	no	no
	Mr. Montgomery	no	
Maryland,	Mr. M'Henry	no	*
Virginia,	Mr. Jones	no	
	Mr. Madiſon	no	
	Mr. Bland	no	no
	Mr. Lee	ay	
	Mr Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	

South-

South-Carolina,	Mr. Read	no	no
	Mr. Beresford	no	

So the question was loſt.

A queſtion being taken on the latter part, paſſed in the negative.

Congreſs then reſumed the conſideration of the report of the committee, conſiſting of Mr. Duane, Mr. A. Lee and Mr. S. Huntington, to whom was referred a letter of the 11th July laſt, from the legiſlature of Maſſachuſetts, which is in the words following.

"That the ſubjects of complaint in the ſaid letter are, the grant of half pay for life to the officers of the army—the commutation granted to the ſaid officers of five years whole pay, in lieu of the ſaid half pay—and the ſalaries allowed to the civil officers of Congreſs.

The half pay, your committee obſerve, was granted at a critical period of the war, when our finances were embarraſſed, our credit impaired, our army diſtreſſed, the officers diſcontented, and reſignations ſo general, as to threaten the diſſolution of a corps on whoſe military experience the public ſafety, in the judgment of the commander in chief, greatly depended.

The firſt grant was limited to ſeven years, but not being deemed ſatisfactory to the army, the evil of reſignations continued to prevail to ſo alarming a degree, as to require a more effectual remedy; and the grant of half pay to the officers was extended for life. Your committee are perſuaded that no doubt can be entertained, but that Congreſs were of opinion, that this proviſion was alone competent, if it was not the only one at that time in their power, to eſtabliſh a military force capable of oppoſing the dangers with which the United States were then ſurrounded. That although it is to be regretted that any meaſure has been adopted by Congreſs, which has given uneaſineſs to the legiſlature or the citizens of the Maſſachuſetts; yet experience has ſhewn how eſſentially that proviſion in queſtion has contributed to the ſtability of the army, to its perfection in diſcipline, to the vigor and deciſion of its operations, and to thoſe brilliant ſucceſſes which have haſtened the bleſſings of a ſafe and honorable peace. Your

Your committee beg leave further to obſerve, that from an earneſt deſire to give ſatisfaction to ſuch of the ſtates as expreſſed a diſlike to the half pay eſtabliſhment, a ſum in groſs was propoſed by Congreſs, and accepted by the officers, as an equivalent for their half pay That your committee are informed, that ſuch equivalent was aſcertained on eſtabliſhed principles which are acknowledged to be juſt, and adopted in ſimilar caſes: but that if the objections againſt the commutation were ever ſo valid, yet as it is not now under the arbitration of Congreſs, but an act conſtitutionally and finally adopted, and the national faith pledged to carry it into effect, they could not be taken into conſideration

With regard to the ſalaries of civil officers it may be obſerved, that the neceſſaries of life have been very high during the war: hence it has happened that even the ſalaries complained of, have not been found ſufficient to induce perſons properly qualified, to accept of many important offices, and the public buſineſs is left undone.

Your committee are nevertheleſs of opinion, that ſince the ceſſation of hoſtilities, the expence of living is moderated, and that a conſiderable reduction may be made in the civil liſt."

A motion was made by Mr. M'Henry, ſeconded by Mr. Mercer, to commit the report: And on the queſtion for committing, the yeas and nays being required by Mr. Holten:

New-Hampſhire,	Mr. Foſter	*no*] †	
Maſſachuſetts,	Mr. Gerry	*no*	
	Mr. Holten	*no* }	*no*
	Mr. Higgenſon	*ay* }	
Rhode-Iſland,	Mr. Ellery	*ay* }	*divided*
	Mr. Howell	*no* }	
Connecticut,	Mr. S. Huntington	*ay* }	*ay*
	Mr. B. Huntington	*ay* }	
New-York,	Mr. Duane	*ay* }	*ay*
	Mr. L'Hommedieu	*ay* }	
New-Jerſey,	Mr. Boudinot	*ay* }	
	Mr. Clarke	*ay* }	*ay*
	Mr. Condict	*no* }	

Pennſylvania,

Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Montgomery	ay	
Maryland,	Mr. M'Henry	ay	ay
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	ay	
	Mr. Lee	ay	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Read	ay	ay
	Mr. Beresford	ay	

So it was reſolved in the affirmative.

FRIDAY, SEPTEMBER 19, 1783.

The committee conſiſting of Mr Madiſon, Mr. Mercer, and Mr. Duane, to whom was referred the report of the committee, on the letter of the 11th July, from the legiſlature of Maſſachuſetts, brought in a report, which was taken into conſideration, and the following paragraph being under debate: "And reſignations ſo general as to threaten the diſſolution of a corps, on whoſe military experience the public ſafety, in the judgment of the commander in chief, greatly depended."

A motion was made by Mr. Howell, ſeconded by Mr. Ellery, to ſtrike out the words, "in the judgment of the commander in chief:" And on the queſtion, Shall thoſe words ſtand? the yeas and nays being required by Mr. M'Henry.

New Hampſhire,	Mr. Foſter	ay	ay
Maſſachuſetts,	Mr. Gerry	ay	ay
	Mr. Holten	ay	
	Mr. Higgenſon	ay	
Rhode-Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr Duane	ay	ay
	Mr. L'Hommedieu	ay	

New-Jerſey,	Mr. Boudinot	ay	divided
	Mr Condict	no	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Montgomery	ay	
Maryland,	Mr Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	ay	
	Mr. Lee	ay	
	Mr Mercer	ay	
North Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South Carolina,	Mr. Read	ay	*

So it was reſolved in the affirmative.

On the conſideration of the paragraph in which is the following ſentence: "but if the objections againſt the commutation were ever ſo great, yet as it is not now under the arbitration of Congreſs, but an act conſtitutionally and finally adopted," A motion was made by Mr. Howell, ſeconded by Mr. Condict, to ſtrike out the words, "conſtitutionally and:" And on the queſtion, Shall thoſe words ſtand? the yeas and nays being required by Mr. Bland,

New-Hampſhire,	Mr. Foſter	no	*
Maſſachuſetts,	Mr. Gerry	no	no
	Mr. Holten	no	
	Mr. Higgenſon	no	
Rhode Iſland,	Mr. Ellery	ay	divided
	Mr Howell	no	
Connecticut,	Mr. S Huntington	no	divided
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	divided
	Mr. Condict	no	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Montgomery	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	

Virginia,

Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	ay	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Read	ay	*

So the queſtion was loſt, and the words were ſtruck out.

SATURDAY, SEPTEMBER 20, 1783.

Congreſs took into conſideration the report of a committee conſiſting of Mr Duane, Mr. Peters, Mr. Carroll, Mr. Hawkins and Mr. A. Lee, to whom were referred inſtructions to the delegates of Pennſylvania, and the ſame being read as follows.

"That the legiſlature of Pennſylvania be informed, in anſwer to the requeſt of the delegates of that ſtate, in conſequence of inſtructions from the ſaid legiſlature of the 13th inſtant, that Congreſs have no objection to a conference being held on behalf of the ſtate of Pennſylvania, with the Indians, on their borders, reſpecting a purchaſe to be made by and at the expence of the ſaid ſtate, of lands within the limits thereof; provided no engagements relative to peace or war with the ſaid Indians, be entered into by the ſaid ſtate, the power of holding treaties on this ſubject, being veſted by the confederation, ſolely in the United States in Congreſs aſſembled. And alſo provided, that due notice of ſuch meeting be given to the executives of Virginia and New-York, who ſhall have it in their option to ſend commiſſioners to the ſaid conference."

A motion was made by Mr. Gerry, ſeconded by Mr. Ellery, that the farther conſideration of the report be poſtponed until Thurſday next: And on the queſtion for poſtponing, the yeas and nays being required by Mr. Gerry.

New-Hampſhire,	Mr. Foſter	ay	*
Maſſachuſetts,	Mr. Gerry	ay	ay
	Mr. Holten	ay	
	Mr. Higgenſon	ay	

Rhode-

Rhode Iſland,	Mr. Ellery	*ay*	*ay*
	Mr Howell	*ay*	
Connecticut,	Mr. S Huntington	*no*	*divided*
	Mr B Huntington	*ay*	
New-York,	Mr. Duane	*no*	*divided*
	Mr L'Hommedieu	*ay*	
New-Jerſey,	Mr Boudinot	*no*	*no*
	Mr. Clarke	*no*	
	Mr Condict	*ay*	
Pennſylvania,	Mr Fitzſimmons	*no*	*no*
	Mr Montgomery	*no*	
Virginia,	Mr. Jones	*no*	*no*
	Mr. Madiſon	*no*	
	Mr Mercer	*no*	
North-Carolina,	Mr. Hawkins	*no*	*no*
	Mr. Williamſon	*no*	
South-Carolina,	Mr. Read	*no*	*no*

So the queſtion was loſt.

The report having been then amended, ſo as to read,

"That Congreſs have no objection to a conference being held on behalf of the ſtate of Pennſylvania, with the Indians on their borders, for the ſole purpoſe of making a purchaſe by and at the expence of the ſaid ſtate, of lands within the limits thereof; provided that due notice of ſuch meeting be given to the executives of Virginia and New York, who ſhall have it in their option to ſend commiſſioners to the ſaid conference."

A motion was made by Mr. Higgenſon, ſeconded by Mr. Holten, farther to amend the report, by adding after the words "thereof," the following words—"After terms of accommodation ſhall have been agreed on between the United States and thoſe Indians:" And on the queſtion to agree to this amendment, the yeas and nays being required by Mr. Gerry.

New-Hampſhire,	Mr. Foſter	*ay*	*ay*
Maſſachuſetts,	Mr. Gerry	*ay*	
	Mr. Holten	*ay*	
	Mr. Higgenſon	*ay*	

Rhode-

Rhode Iſland,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	no	
	Mr. Condict	ay	
Pennſylvania,	Mr. Fitzſimmons	no	no
	Mr. Montgomery	no	
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South Carolina,	Mr. Read	no	*

So the queſtion was loſt.

A diviſion of the queſtion on the report was then called for; and on the queſtion to agree to the report as amended, ſo far as the proviſo, the yeas and nays being required by Mr. Fitzſimmons.

New-Hampſhire,	Mr. Foſter	no	*
Maſſachuſetts,	Mr. Gerry	no	no
	Mr. Holten	no	
	Mr. Higgenſon	no	
Rhode-Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Montgomery	ay	
Maryland,	Mr. Carroll	no	*

Virgin

Virginia,	Mr. Jones	ay	}
	Mr. Madiſon	ay	} ay
	Mr. Mercer	ay	}
North-Carolina,	Mr Hawkins	ay	}
	Mr. Williamſon	ay	} ay
South-Carolina,	Mr. Read	ay	] *

So the queſtion was loſt.

A motion was then made by Mr. Duane, ſeconded by Mr. Ellery, in the words following ——

Whereas the delegates of the State of Pennſylvania, have laid before Congreſs, a reſolution of the legiſlature of Pennſylvania, in the words following.

State of Pennſylvania,

In General Aſſembly, Friday September 12, 1783 A. M.

The committee appointed yeſterday, to whom was recommitted the report of the committee, on the ſubject of holding a conference with the ſupreme executive council, reſpecting the lands appropriated for the uſe of the Pennſylvania line, made report, which was read; and on motion and by ſpecial order, the ſame was read the ſecond time, and adopted as follows, viz.

The committee to whom the report of a committee, on the ſubject of a conference to be held with the ſupreme executive council, reſpecting the lands appropriated for the uſe of the Pennſylvania line, was recommitted, with inſtructions to report to this houſe, the beſt and moſt expeditious mode for removing the obſtructions to the ſurveying of the ſaid lands, beg leave to report,

That they have deliberately conſidered the important buſineſs ſubmitted to them, with the very intereſting conſequences which it involves: they find that the ſole obſtruction to laying off the before mentioned land, originates in the diſpoſition of the Indians, who claim a right to the territory in queſtion, and will not peaceably ſuffer it to be occupied or diſpoſed of without receiving, according to uniform practice ſince the earlieſt ſettlement of the ſtate, a conſideration for the ſame.

Your committee therefore are of opinion, that a purchaſe from the original claimants is the moſt dignified, humane, expeditious and oeconomical mode by which this

this houſe can enable the ſurveyor general to lay off and ſurvey the ſaid diſtrict. And they beg leave further to obſerve, that although the articles of the confederation do not by any means explicitly reſtrict this houſe from entering on this buſineſs independent of Congreſs, yet being deeply impreſſed with the delicacy of touching any ſubject of federal relation, but with the moſt deliberate caution; and as the letter of a clauſe in the ninth ſection appears to involve a doubt, they think proper to ſubmit the following reſolution

Reſolved, That the following inſtructions be forwarded without delay to our delegates in Congreſs, with injunctions to them, to procure as expeditiouſly as poſſible, and tranſmit to this houſe, the ſenſe of Congreſs on the ſubject.

Extract from the minutes,
PETER Z. LLOYD, Clerk of the
General Aſſembly.

And the ſaid delegates having alſo laid before Congreſs an inſtruction from the ſaid legiſlature, in the words following, viz.

State of Pennſylvania,
In General Aſſembly, September 12, 1783.

Gentlemen,

YOU are hereby inſtructed to lay before Congreſs, the peculiar ſituation of the ſtate of Pennſylvania, which renders a conference with the Indian nations that live adjoining to our frontiers, at this time neceſſary.

The general aſſembly of this commonwealth, by their reſolve of the 7th of March, A. D. 1780, promiſed certain donations of land to be laid off to their officers and ſoldiers at the end of the war; and have ſince that time, by a particular law, appropriated the lands belonging to this ſtate, weſtward of the Ohio and Allegheny rivers, for that purpoſe, and for the purpoſe of redeeming the certificates of depreciation.

The time is now come when juſtice muſt be done to our officers and ſoldiers, as well reſpecting the ſaid lands as their certificates of depreciation.

The cuſtom of Pennſylvania has always been to purchaſe the right of poſſeſſion from the Indian natives, as being

being more conſonant to juſtice, and leſs expenſive than force. This, however, cannot be done without ſome convention or conference with the Indians for that purpoſe.

Although this buſineſs may be ſaid ſtrictly to regard only the internal police of Pennſylvania, and the conference propoſed does not extend to any deſcription of men without the limits of the United States, nor regard any of the great objects of peace or war; yet our nigh reſpect for the confederation, determines us to lay open the whole deſign of the ſtate to Congreſs.

Senſible likewiſe as we are, that the whole expence of this particular buſineſs muſt reſt with Pennſylvania; yet perhaps the wiſdom of Congreſs may improve this conference to the general benefit of the union.

We wiſh you to uſe all reaſonable expedition in this matter; and hope the meaſures we are taking for the ſatisfaction of the Pennſylvania line, will meet with the ready concurrence and approbation of the great council of the nation.

By order of the Houſe,

FRED. A. MUHLENBERG, Speaker.

The honorable the delegates of Pennſylvania.

Reſolved, That the legiſlature of Pennſylvania be informed, in anſwer to the ſaid repreſentation, that as ſoon as an agreement ſhall have taken place for the ceſſation of hoſtilities between the United States and the Indians engaged on the ſide of the Britiſh, in the proſecution of the war, (for which, meaſures are now under deliberation) Congreſs will cheerfully conſent to the negociation propoſed by the ſaid legiſlature, for the purchaſe of the Indian claim to lands within the limits of that ſtate.

On the queſtion to agree to the foregoing motion, the yeas and nays being required by Mr. Duane.

New-Hampſhire,	Mr. Foſter	*ay*] *	
Maſſachuſetts,	Mr. Gerry	*ay* }	
	Mr. Holten	*ay* }	*ay*
	Mr. Higgenſon	*ay* }	
Rhode-Iſland,	Mr. Ellery	*ay* }	
	Mr. Howell	*ay* }	*ay*

Connecticut,

Connecticut,	Mr S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jersey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennsylvania,	Mr. Fitzsimmons	no	no
	Mr. Montgomery	no	
Maryland,	Mr. Carroll	no	no
Virginia,	Mr. Jones	no	
	Mr. Madison	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	ay	divided
	Mr. Williamson	no	
South Carolina,	Mr. Read	ay	*

So the question was lost.

MONDAY, SEPTEMBER 22, 1783.

Mr. James Tilton, a delegate for the state of Delaware, attended and took his seat.

Congress took into consideration the report of a committee, consisting of Mr. Williamson, Mr Holten and Mr. Duane, to whom was referred an application from the delegates of Rhode Island; whereupon

Resolved, That application be immediately made to the ministers of the United States now in France to know whether they have received any information concerning the capture of the schooner Good Fortune, of which George Hardwick was master, and of her being condemned at Cape Francois, on the fourth day of November last; and what further steps if any have been taken, on that subject.

The grand committee consisting of Mr. Foster, Mr. Holten Mr. S. Huntington, Mr. Duane, Mr. Condict, Mr. Montgomery, Mr M'Henry, Mr Lee, Mr. Hawkins and Mr. Read, to whom was referred, "An ordinance prohibiting the settlement and purchase of certain lands," reported the draft of a proclamation which was agreed to as follows—

By the UNITED STATES in CONGRESS assembled,

A PROCLAMATION.

WHEREAS by the ninth of the articles of confederation, it is among other things declared, that "the United States in Congress assembled, have the sole and exclusive right and power of regulating the trade, and managing all affairs with the Indians, not members of any of the states; provided that the legislative right of any state, within its own limits, be not infringed or violated." And whereas it is essential to the welfare of the United States, as well as necessary for the maintenance of harmony and friendship with the Indians, not members of any of the states, that all cause of quarrel or complaint between them and the United States, or any of them, should be removed and prevented; Therefore the United States in Congress assembled, have thought proper to issue their proclamation, and they do hereby prohibit and forbid all persons from making settlements on lands inhabited or claimed by Indians without the limits or jurisdiction of any particular state, and from purchasing or receiving any gift or cession of such lands or claims, without the express authority and directions of the United States in Congress assembled.

And it is moreover declared, that every such purchase or settlement, gift or cession, not having the authority aforesaid, is null and void, and that no right or title will accrue in consequence of any such purchase, gift, cession or settlement.

DONE in Congress, at Princeton, this twenty-second day of September, in the year of our Lord one thousand seven hundred and eighty-three, and of our sovereignty and independence the eighth.

Congress took into consideration the report of a committee consisting of Mr Duane, Mr. Read, Mr. M'Henry, Mr. Huntington, Mr. Peters, Mr. Wilson and Mr. Madison, appointed to consider what jurisdiction may be proper for Congress in the place of their permanent residence; whereupon *Ordered*,

Ordered, That the ſaid report be referred to a committee of the whole houſe.

Reſolved, That on Thurſday next, Congreſs be reſolved into a committee of the whole, to take into conſideration the above report.

TUESDAY SEPTEMBER 23, 1783.

On motion of Mr. S. Huntington, ſeconded by Mr. Mercer,

Reſolved, That a copy of the reſolution of the 13th inſtant, reſpecting major general R. Howe, be tranſmitted to the commander in chief; and that the general be requeſted to ſignify to the officers and ſoldiers of the detachment under the command of general Howe, that Congreſs are well ſatisfied with the promptitude and alacrity they diſcovered in executing the ſervice on which they were employed.

THURSDAY, SEPTEMBER 25, 1783.

At the requeſt of Mr. Holten, a delegate for the ſtate of Maſſachuſetts, the letter of the 11th July, 1783, from the legiſlature of that ſtate, was entered on the journal as follows.

"Commonwealth of Maſſachuſetts,
Boſton, July 11, 1783.

SIR,

THE addreſs of the United States in Congreſs aſſembled, has been received by the legiſlature of the commonwealth of Maſſachuſetts; and while they conſider themſelves as bound in duty to give Congreſs the higheſt aſſurance, that no meaſures conſiſtent with their circumſtances, and the conſtitution of this government and the federal union, ſhall remain unattempted by them, to furniſh thoſe ſupplies which juſtice demands, and which are neceſſary to ſupport the credit and honor of the United States; they find themſelves under a neceſſity of addreſſing Congreſs, in regard to the ſubject of the half pay of the officers of the army, and the propoſed commutation thereof;—with ſome other matters of a ſimilor nature

which

which produce among the people of this commonwealth the greateſt concern and uneaſineſs, and involve the legiſlature thereof in no ſmall embarraſſments.

The legiſlature have not been unacquainted with the ſufferings, nor are they forgetful of the virtue and bravery of their fellow citizens in the army; and while they are ſenſible that juſtice requires they ſhould be fully compenſated for their ſervices and ſufferings, at the ſame time it is moſt ſincerely wiſhed that they may return to the boſom of their country, under ſuch circumſtances, as may place them in the moſt agreeable light with their fellow citizens

Congreſs, in the year 1780, reſolved that the officers of the army, who ſhould continue therein during the war, ſhould be entitled to half pay for life; and at the ſame time reſolved, that all ſuch as ſhould retire therefrom, in conſequence of the new arrangement which was then ordered to take place, ſhould be entitled to the ſame benefit: a commutation of which half pay has ſince been propoſed.

The general court are ſenſible that the United States in Congreſs aſſembled are, by the confederation, veſted with a diſcretionary power, to make proviſion for the ſupport and payment of the army, and ſuch civil officers as may be neceſſary for managing the general affairs of the United States: but in making ſuch proviſion, due regard ever ought to be had to the welfare and happineſs of the people, the rules of equity, and the ſpirit and general deſign of the confederation. We cannot on this occaſion avoid ſaying that, with due reſpect, we are of opinion, thoſe principles were not duly attended to, in the grant of half pay to the officers of the army; that, being in our opinion, a grant of more than an adequate reward for their ſervices, and inconſiſtent with that equality which ought to ſubſiſt among citizens of free and republican ſtates.—Such a meaſure appears to be calculated to raiſe and exalt ſome citizens in wealth and grandeur, to the injury and oppreſſion of others, even if the inequality which will happen among the officers of the army, who have performed from one to eight years ſervice, ſhould not be taken into conſideration.

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The obſervations which have been made with regard to the officers of the army, will in general apply to the civil officers appointed by Congreſs, who, in our opinion, have been allowed much larger ſalaries than are conſiſtent with the ſtate of our finances, the rules of equity, and a proper regard to the public good —And indeed if the United States were in the moſt wealthy and proſperous circumſtances, it is conceived that oeconomy and moderation, with reſpect to grants and allowances, in oppoſition to the meaſures which have been adopted by monarchical and luxurious courts, would moſt highly conduce to our reputation, even in the eyes of foreigners, and would cauſe a people, who have been contending with ſo much ardor and expence for republican conſtitutions and freedom, which cannot be ſupported without frugaliy and virtue, to appear with dignity and conſiſtency; and at the ſame time would, in the beſt manner, conduce to the public happineſs.

It is thought to be eſſentially neceſſary, eſpecially at the preſent time, that Congreſs ſhould be expreſſly informed, that ſuch meaſures as are complained of, are extremely oppoſite and irritating to the principles and feelings which the people of ſome eaſtern ſtates, and of this in particular inherit from their anceſtry.

The legiſlature cannot without horror entertain the moſt diſtant idea of the diſſolution of the union, which ſubſiſts between the United States, and the ruin which would inevitably enſue thereon; but with great pain they muſt obſerve, that the extraordinary grants and allowances which Congreſs have thought proper to make to their civil and military officers, have produced ſuch effects in this commonwealth, as are of a threatening aſpect.——— From theſe ſources, and particularly from the grant of half pay to the officers of the army, and the propoſed commutation thereof, it has ariſen, that the general court has not been able hitherto to agree in granting to the United States, an impoſt duty, agreeable to the recommendation of Congreſs; while the general aſſembly at the ſame time, have been deeply impreſſed with a ſenſe of the neceſſity of ſpeedily adopting ſome effectual meaſures, for ſupplying the continental treaſury, for the reſtoration

ſtoration of the public credit, and the ſalvation of the country:—And propoſe, as the preſent ſeſſion is near terminating, again to take the ſubject of the impoſt duty into conſideration early in the next.—From theſe obſervations you may eaſily learn the difficult and critical ſituation the legiſlature is in, and they rely on the wiſdom of Congreſs to adopt and propoſe ſome meaſure for relief in this extremity.

In the name and by order of the General Court,
We are your excellency's
moſt obedient humble ſervants,
S. ADAMS, Preſident of the Senate,
TRISTRAM DALTON, Speaker of
the Houſe of Repreſentatives.

His excellency the Preſident of Congreſs.

Congreſs reſumed the conſideration of the report of the committee, to whom was referred the report of the committee, on the letter of the 11th July, from the legiſlature of Maſſachuſetts, and the ſame being read as follows.

"That the ſubjects of complaint in the ſaid letter are the grant of half pay for life to the officers of the army—the commutation granted to the ſaid officers of five years whole pay, in lieu of the ſaid half pay—and the ſalaries allowed to the civil officers of Congreſs.

That without dwelling on the reaſonableneſs and juſtice of a proviſion in favor of thoſe whoſe former profeſſions, purſuits and proſpects, have in a long courſe of military ſervice, given place to habits and acquirements, which on the return of peace, however honorable they may be to the poſſeſſor, ceaſe to be a ſource of profit to him. Your committee obſerve, that the half pay was granted at a critical period of the war, when our finances were embarraſſed, our credit impaired, our army diſtreſſed, the officers diſcontented, and reſignations ſo general, as to threaten the diſſolution of a corps on whoſe military experience the public ſafety, in the judgment of the commander in chief, greatly depended. The firſt grant was limited to ſeven years, but not being deemed ſatisfactory by the army, the evil of reſignations continued to prevail

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to ſo alarming a degree, as to require a more effectual remedy; and the grant of half pay to the officers was extended for life.

Your committee are perſuaded that no doubt can be entertained, but that Congreſs were of opinion, that this proviſion was alone competent, if it was not the only one at that time in their power, to eſtabliſh a military force capable of oppoſing the dangers with which the United States were then ſurrounded. That although it is to be regretted that any meaſure has been adopted by Congreſs, which has given uneaſineſs to the legiſlature or the citizens of the Maſſachuſetts; yet experience has ſhewn how eſſentially that proviſion in queſtion has contributed to the ſtability of the army, to its perfection in diſcipline, to the vigor and deciſion of its operations, and to thoſe brilliant ſucceſſes which have haſtened the bleſſings of a ſafe and honorable peace.

Your committee hold it to be the bounden duty of Congreſs, to leave no effort uneſſayed, that may enable them to conform to the known and expreſs ſenſe of their conſtituents; but a perfect compliance with the wiſhes of every part, will often be found, after due conſideration, impracticable.

Your committee conſider the meaſure of Congreſs, as the reſult of a deliberate judgment, framed on a general view of the intereſts of the union at large.—They conclude it to be a truth, that no ſtate in this confederacy, can claim (more equitably than an individual in a ſociety) to derive advantages from a union, without conforming to the judgment of a conſtitutional majority of thoſe who compoſe it; ſtill however, they conceive it will be found no leſs true, that if a ſtate every way ſo important as Maſſachuſetts, ſhould withhold her ſolid ſupport to conſtitutional meaſures of the confederacy, the reſult muſt be a diſſolution of the union—and then ſhe muſt hold herſelf as alone reſponſible for the anarchy and domeſtic confuſion that may ſucceed, and for expoſing all theſe confederated ſtates (who at the commencement of the late war, leagued to defend her violated rights) an eaſy prey to the machinations of their enemies, and the ſport of European politics: And therefore they are of opinion, that

that Congreſs ſhould ſtill confide, that a free, enlightened and generous people, will never hazard conſequences ſo perilous and alarming; and in all circumſtances rely on the wiſdom, temper and virtue of their conſtituents, which (guided by an all-wiſe Providence) have ever interpoſed to avert impending evils and misfortunes.

Your committee beg leave further to obſerve, that from an earneſt deſire to give ſatisfaction to ſuch of the ſtates as expreſſed a diſlike to the half pay eſtabliſhment, a ſum in groſs was propoſed by Congreſs, and accepted by the officers, as an equivalent for their half pay. That your committee are informed, that ſuch equivalent was aſcertained on eſtabliſhed principles which are acknowledged to be juſt, and adopted in ſimilar caſes: but that if the objections againſt the commutation were ever ſo valid, yet as it is not now under the arbitration of Congreſs, but an act finally adopted, and the national faith pledged to carry it into effect, they could not be taken into conſideration.

With regard to the ſalaries of civil officers it may be obſerved, that the neceſſaries of life have been very high during the war: hence it has happened that even the ſalaries complained of, have not been found ſufficient to induce perſons properly qualified, to accept of many important offices, and the public buſineſs is left undone.

Your committee are nevertheleſs of opinion, that ſince the ceſſation of hoſtilities, the expence of living is moderated, and that a conſiderable reduction may be made in the civil liſt."

On the queſtion to agree to this report, the yeas and nays being required by Mr. Holten.

New-Hampſhire,	Mr. Foſter	no	*
Maſſachuſetts,	Mr. Holten	no	*
Rhode Iſland,	Mr. Ellery	no	no
	Mr Howell	no	
Connecticut,	Mr. S Huntington	ay	ay
	Mr. B Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L Hommedieu	ay	

New-

New Jerſey,	Mr Boudinot	ay	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Delaware,	Mr. Tilton	ay	ay
	Mr. Bedford	ay	
Maryland,	Mr. Carroll	ay	*
Virginia,	Mr. Madiſon	ay	ay
	Mr. Bland	ay	
	Mr. Lee	ay	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Read	ay	ay
	Mr. Beresford	ay	

So it was reſolved in the affirmative.

The committee conſiſting of Mr. Madiſon, Mr. Higgenſon and Mr. Hamilton, to whom was referred a letter from doctor Franklin, of the 15th of April laſt, reported the draught of a proclamation, which was agreed to as follows.

By the UNITED STATES in CONGRESS aſſembled,

A PROCLAMATION.

WHEREAS in purſuance of a plenipotentiary commiſſion, given on the 28th day of September, 1782, to the honorable Benjamin Franklin, a treaty of amity and commerce between his majeſty the king of Sweden and the United States of America, was on the 3d day of April 1783, concluded by the ſaid Benjamin Franklin, with a miniſter plenipotentiary, named for that purpoſe, by the ſaid king: and whereas the ſaid treaty hath been duly approved and ratified by the United States in Congreſs aſſembled, and a tranſlation thereof made in the words following, to wit:

A TREATY of amity and commerce concluded between his majeſty the king of Sweden and the United States of North-America.

The king of Sweden, of the Goths and Vandals, &c. &c. &c. and the thirteen United States of North-America, to wit, New Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland, Connecticut, New-York, New-Jerſey, Pennſylvania, the counties of New-Caſtle, Kent and Suſſex on Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, deſiring to eſtabliſh in a ſtable and permanent manner, the rules which ought to be obſerved relative to the correſpondence and commerce which the two parties have judged neceſſary to eſtabliſh between their reſpective countries, ſtates and ſubjects; his majeſty and the United States have thought that they could not better accompliſh that end, than by taking for a baſis of their arrangements, the mutual intereſt and advantage of both nations, thereby avoiding all thoſe burthenſome preferences, which are uſually ſources of debate, embarraſſment and diſcontent, and by leaving each party at liberty to make, reſpecting navigation and commerce, thoſe interior regulations which ſhall be moſt convenient to itſelf.

With this view, his majeſty the king of Sweden, has nominated and appointed for his plenipotentiary, count Guſtavus Philip de Creutz, his ambaſſador extraordinary to his moſt Chriſtian majeſty, and knight, commander of his orders; and the United States on their part, have fully empowered Benjamin Franklin, their miniſter plenipotentiary to his moſt Chriſtian majeſty: the ſaid pleniptentiaries, after exchanging their full powers, and after mature deliberation in conſequence thereof, have agreed upon, concluded and ſigned the following articles,

ARTICLE 1.

THERE ſhall be a firm, inviolable and univerſal peace and a true and ſincere friendſhip between the king of Sweden, his heirs and ſucceſſors, and the United States of America, and the ſubjects of his majeſty and thoſe of the ſaid ſtates, and between the countries, iſlands, cities and

and towns ſituated under the juriſdiction of the king and of the ſaid United States, without any exception of perſons or places; and the conditions agreed to in this preſent treaty, ſhall be perpetual and permanent between the king, his heirs and ſucceſſors, and the ſaid United States.

ART. 2. The king and the United States engage mutually, not to grant hereafter any particular favor to other nations in reſpect to commerce and navigation, which ſhall not immediately become common to the other party, who ſhall enjoy the ſame favor freely, if the conceſſion was freely made, or on allowing the ſame compenſation, if the conceſſion was conditional.

ART. 3. The ſubjects of the king of Sweden ſhall not pay in the ports, havens, roads, countries, iſlands, cities and towns of the United States or any of them, any other or greater duties or impoſts of what nature ſoever they may be, than thoſe which the moſt favored nations are or ſhall be obliged to pay; and they ſhall enjoy all the rights, liberties, privileges, immunities and exemptions in trade, navigation and commerce, which the ſaid nations do or ſhall enjoy, whether in paſſing from one port to another of the United States, or in going to or from the ſame, from or to any part of the world whatever.

ART. 4. The ſubjects and inhabitants of the ſaid United States ſhall not pay in the ports, havens, roads, iſlands, cities and towns under the dominion of the king of Sweden, any other or greater duties or impoſts of what nature ſoever they may be, or by what name ſoever called, than thoſe which the moſt favored nations are or ſhall be obliged to pay; and they ſhall enjoy all the rights, liberties, privileges, immunities and exemptions in trade, navigation and commerce, which the ſaid nations do or ſhall enjoy, whether in paſſing from one port to another of the dominion of his ſaid majeſty, or in going to or from the ſame, from or to any part of the world whatever.

ART. 5. There ſhall be granted a full, perfect and entire

entire liberty of conſcience to the inhabitants and ſubjects of each party, and no perſon ſhall be moleſted on account of his worſhip, provided he ſubmits ſo far as regards the public demonſtration of it to the laws of the country: Moreover, liberty ſhall be granted, when any of the ſubjects or inhabitants of either party die in the territory of the other, to bury them in convenient and decent places, which ſhall be aſſigned for the purpoſe: And the two contracting parties will provide each in its juriſdiction, that the ſubjects and inhabitants reſpectively, may obtain certificates of the death in caſe the delivery of them is required.

ART. 6. The ſubjects of the contracting parties in the reſpective ſtates, may freely diſpoſe of their goods and effects, either by teſtament, donation or otherwiſe, in favor of ſuch perſons as they think proper; and their heirs in whatever place they ſhall reſide, ſhall receive the ſucceſſion, even ab inteſtato, either in perſon or by their attorney, without having occaſion to take out letters of naturalization. Theſe inheritances as well as the capitals and effects, which the ſubjects of the two parties, in changing their abode, ſhall be deſirous of removing from the place of their abode, ſhall be exempted from all duty, called "droit de detraction," on the part of the government of the two ſtates reſpectively. But it is at the ſame time agreed, that nothing contained in this article ſhall in any manner derogate from the ordinances publiſhed in Sweden againſt emigrations, or which may hereafter be publiſhed, which ſhall remain in full force and vigor. The United States on their part, or any of them, ſhall be at liberty to make reſpecting this matter, ſuch laws as they think proper.

ART. 7. All and every the ſubjects inhabitants of the kingdom of Sweden, as well as thoſe of the United States, ſhall be permitted to navigate with their veſſels in all ſafety and freedom, and without any regard to thoſe to whom the merchandizes and cargoes may belong, from any port whatever, and the ſubjects and inhabitants of the two ſtates, ſhall likewiſe be permitted to ſail and trade

trade with their veſſels, and with the ſame liberty and ſafety to frequent the places, ports and havens of powers, enemies to both or either of the contracting parties, without being in any wiſe moleſted or troubled, and to carry on a commerce not only directly from the ports of an enemy to a neutral port, but even from one port of an enemy to another port of an enemy, whether it be under the juriſdiction of the ſame or of different princes. And as it is acknowledged by this treaty, with reſpect to ſhips and merchandizes, that free ſhips ſhall make the merchandizes free, and that every thing which ſhall be on board of ſhips belonging to ſubjects of the one or the other of the contracting parties, ſhall be conſidered as free, even though the cargo or a part of it ſhould belong to the enemies of one or both: it is nevertheleſs provided, that contraband goods ſhall always be excepted; which being intercepted ſhall be proceeded againſt according to the ſpirit of the following articles. It is likewiſe agreed, that the ſame liberty be extended to perſons who may be on board a free ſhip, with this effect, that although they be enemies to both or either of the parties, they ſhall not be taken out of the free ſhip, unleſs they are ſoldiers in the actual ſervice of the ſaid enemies.

ART. 8. This liberty of navigation and commerce ſhall extend to all kinds of merchandizes except thoſe only which are expreſſed in the following article, and are diſtinguiſhed by the name of contraband goods.

ART. 9. Under the name of contraband or prohibited goods, ſhall be comprehended, arms, great guns, cannon balls, arquebuſes, muſquets, bombs, petards, granadoes, ſauciſſes, pitch, balls, carriages for ordinance, muſquet reſts, bandoliers, cannon powder, matches, ſaltpetre, ſulphur, bullets, pikes, ſabres, ſwords, morions, helmets, cuiraſſes, halberts, javelins, piſtols, holſters, belts, bayonets, horſes with their harneſs, and all other like kinds of arms and inſtruments of war for the uſe of troops.

ART. 10. Theſe which follow ſhall not be reckoned in the number of prohibited goods; that is to ſay, all

ſorts

ſorts of cloaths, and all other manufactures of wool, flax, ſilk, cotton, or any other materials; all kinds of wearing apparel, together with the things of which they are commonly made; gold, ſilver, coined or uncoined, braſs, iron, lead, copper, latten, coals, wheat, barley, and all ſorts of corn or pulſe, tobacco, all kinds of ſpices, ſalted or ſmoaked fleſh, ſalted fiſh, cheeſe, butter, beer, oil, wines, ſugar, all ſorts of ſalt and proviſions which ſerve for the nouriſhment and ſuſtenance of man; all kinds of cotton, hemp, flax, tar, pitch, ropes, cables, ſails, ſail-cloth, anchors, and any parts of anchors, ſhip maſts, planks, boards, beams, and all ſorts of trees and other things proper for building or repairing ſhips; nor ſhall any goods be conſidered as contraband, which have not been worked into the form of any inſtrument or thing for the purpoſe of war by land or by ſea, much leſs ſuch as have been prepared or wrought up for any uſe, all which ſhall be reckoned free goods; as likewiſe all others which are not comprehended and particularly mentioned in the foregoing article; ſo that they ſhall not, by any pretended interpretation, be comprehended among prohibited or contraband goods; on the contrary, they may be freely tranſported by the ſubjects of the king and of the United States, even to places belonging to an enemy, ſuch places only excepted as are beſieged, blocked or inveſted; and thoſe places only ſhall be conſidered as ſuch, which are nearly ſurrounded by one of the belligerent powers.

ART. 11. In order to avoid and prevent on both ſides all diſputes and diſcord, it is agreed that in caſe one of the parties ſhall be engaged in a war, the ſhips and veſſels belonging to the ſubjects or inhabitants of the other, ſhall be furniſhed with ſea letters or paſſports, expreſſing the name, property and port of the veſſel, and alſo the name and place of abode of the maſter or commander of the ſaid veſſel, in order that it may thereby appear, that the ſaid veſſel really and truly belongs to the ſubjects of the one or the other party. Theſe paſſports, which ſhall be drawn up in good and due form, ſhall be renewed every time the veſſel returns home in the courſe of the year.

year. It is alſo agreed, that the ſaid veſſels when loaded ſhall be provided not only with ſea letters, but alſo with certificates, containing a particular account of the cargo, the place from which the veſſel ſailed, and that of her deſtination in order that it may be known, whether they carry any of the prohibited or contraband merchandizes, mentioned in the ninth article of the preſent treaty: which certificates ſhall be made out by the officers of the place from which the veſſel ſhall depart.

ART. 12. Although the veſſels of the one and of the other party, may navigate freely and with all ſafety, as is explained in the ſeventh article; they ſhall nevertheleſs be bound at all times when required, to exhibit as well on the high ſea as in port, their paſſports and certificates abovementioned. And not having contraband merchandize on board for an enemy's port, they may freely and without hindrance purſue their voyage to the place of their deſtination. Nevertheleſs the exhibition of papers ſhall not be demanded of merchant ſhips under the convoy of veſſels of war, but credit ſhall be given to the word of the officer commanding the convoy.

ART. 13. If on producing the ſaid certificates, it be diſcovered that the veſſel carries ſome of the goods which are declared to be prohibited or contraband, and which are conſigned to an enemy's port, it ſhall not however be lawful to break up the hatchets of ſuch ſhips, nor to open any cheſt, coffers, packs, caſks or veſſels, nor to remove or diſplace the ſmalleſt part of the merchandizes, until the cargo has been landed in the preſence of officers appointed for the purpoſe, and until an inventory thereof has been taken; nor ſhall it be lawful to ſell, exchange or alienate the cargo or any part thereof, until legal proceſs ſhall have been had againſt the prohibited merchandizes, and ſentences ſhall have paſſed, declaring them liable to confiſcation; ſaving nevertheleſs, as well the ſhips themſelves, as the other merchandizes which ſhall have been found therein, which by virtue of this preſent treaty, are to be eſteemed free, and which are not to be detained on pretence of their having been loaded with prohibited

hibited merchandize, and much leſs confiſcated as lawful prize. And in caſe the contraband merchandize be only a part of the cargo, and the maſter of the veſſel agrees, conſents and offers to deliver them to the veſſel that has diſcovered them, in that caſe, the latter, after receiving the merchandizes which are good prize, ſhall immediately let the veſſel go, and ſhall not by any means hinder her from purſuing her voyage to the place of her deſtination. When a veſſel is taken and brought into any of the ports of the contracting parties, if upon examination ſhe be found to be loaded only with merchandizes declared to be free, the owner or he who has made the prize, ſhall be bound to pay all coſts and damages to the maſter of the veſſel unjuſtly detained.

ART. 14. It is likewiſe agreed, that whatever ſhall be found to be laden by the ſubjects of either of the two contracting parties, on a ſhip belonging to the enemies of the other party, the whole effects, although not of the number of thoſe declared contraband, ſhall be confiſcated as if they belonged to the enemy; excepting nevertheleſs ſuch goods and merchandizes as were put on board before the declaration of war, and even ſix months after the declaration, after which term none ſhall be preſumed to be ignorant of it: which merchandizes ſhall not in any manner be ſubject to confiſcation, but ſhall be faithfully and ſpecifically delivered to the owners, who ſhall claim or cauſe them to be claimed, before confiſcation and ſale, as alſo their proceeds, if the claim be made within eight months, and could not be made ſooner after the ſale, which is to be public: provided nevertheleſs, that if the ſaid merchandizes be contraband, it ſhall not be in anywiſe lawful to carry them afterward to a port belonging to the enemy.

ART. 15. And that more effectual care may be taken for the ſecurity of the two contracting parties, that they ſuffer no prejudice by the men of war of the other party or by privateers, all captains and commanders of ſhips of his Swediſh majeſty and of the United States, and all their ſubjects, ſhall be forbidden to do any injury or damage

to

to thoſe of the other party, and if they act to the contrary, having been found guilty on examination by their proper judges, they ſhall be bound to make ſatisfaction for all damages and the intereſt thereof, and to make them good under pain and obligation of their perſons and goods.

ART. 16. For this cauſe, every individual who is deſirous of fitting out a privateer, ſhall, before he receives letters patent or ſpecial commiſſion, be obliged to give bond with ſufficient ſureties, before a competent judge, for a ſufficient ſum, to anſwer all damages and wrongs which the owner of the privateer, his officers or others in his employ may commit during the cruiſe, contrary to the tenor of this treaty, and contrary to the edicts publiſhed by either party, whether by the king of Sweden or by the United States, in virtue of this ſame treaty, and alſo under the penalty of having the ſaid letters patent and ſpecial commiſſion revoked and made void.

ART. 17. One of the contracting parties being at war, and the other remaining neuter, if it ſhould happen that a merchant ſhip of the neutral power be taken by the enemy of the other party, and be afterwards retaken by a ſhip of war or privateer of the power at war, alſo ſhips and merchandizes of what nature ſoever they may be, when recovered from a pirate or ſea rover, ſhall be brought in to a port of one of the two powers, and ſhall be committed to the cuſtody of the officers of the ſaid port, that they may be reſtored entire to the true proprietor as ſoon as he ſhall have produced full proof of the property. Merchants, maſters and owners of ſhips, ſeamen, people of all ſorts, ſhips and veſſels, and in general all merchandizes and effects of one of the allies or their ſubjects, ſhall not be ſubject to any embargo nor detained in any of the countries, territories, iſlands, cities, towns, ports, rivers, or domains whatever of the other ally on account of any military expedition, or any public or private purpoſe whatever, by ſeizure, by force, or by any ſuch manner; much leſs ſhall it be lawful for the ſubjects of one of the parties to ſeize or take any thing by force from the ſubjects of the

other party, without the conſent of the owner. This however is not to be underſtood to comprehend ſeizures, detentions and arreſts, made by order and by the authority of juſtice, and according to the ordinary courſe for debts or faults of the ſubject, for which proceſs ſhall be had in the way of right according to the forms of juſtice.

ART. 18. If it ſhould happen that the two contracting parties ſhould be engaged in a war at the ſame time with the common enemy, the following points ſhall be obſerved on both ſides.

1ſt. If the ſhips of one of the two nations retaken by the privateers of the other, have not been in the power of the enemy more than twenty four hours, they ſhall be reſtored to the original owner, on payment of one-third of the value of the ſhip and cargo. If on the contrary the veſſel retaken, has been more than twenty four hours in the power of the enemy, it ſhall belong wholly to him who has retaken it.

2d. In caſe, during the interval of twenty-four hours, a veſſel be retaken by a man of war of either of the two parties, it ſhall be reſtored to the original owner, on payment of a thirtieth part of the value of the veſſel and cargo, and a tenth part if it has been retaken after the twenty-four hours; which ſums ſhall be diſtributed as a gratification among the crew of the men of war that ſhall have made the recapture.

3d The prizes made in manner abovementioned, ſhall be reſtored to the owners after proof made of the property upon giving ſecurity for the part coming to him who has recovered the veſſel from the hands of the enemy.

4th. The men of war and privateers of the two nations ſhall reciprocally be admitted with their prizes into each others ports; but the prizes ſhall not be unloaded or ſold there until the legality of a prize made by Swediſh ſhips ſhall have been determined according to the laws and regulations eſtabliſhed in Sweden, as alſo that of the prizes

prizes made by American veſſels ſhall have been determined according to the laws and regulations eſtabliſhed by the United States of America.

5th. Moreover the king of Sweden and the United States of America, ſhall be at liberty to make ſuch regulations as they ſhall judge neceſſary, reſpecting the conduct which their men of war and privateers reſpectively, ſhall be bound to obſerve with regard to veſſels which they ſhall take and carry into the ports of the two powers.

ART. 19. The ſhips of war of his Swediſh majeſty, and thoſe of the United States, and alſo thoſe which their ſubjects ſhall have armed for war, may with all freedom conduct the prizes which they ſhall have made from their enemies, into the ports which are open in time of war to other friendly nations, and the ſaid prizes upon entering the ſaid ports, ſhall not be ſubject to arreſt or ſeizure, nor ſhall the officers of the places take cognizance of the validity of the ſaid prizes, which may depart and be conducted freely and with all liberty to the places pointed out in their commiſſions, which the captains of the ſaid veſſels ſhall be obliged to ſhew.

ART. 20. In caſe any veſſel belonging to either of the two ſtates or to their ſubjects, ſhall be ſtranded, ſhipwrecked, or ſuffer any other damage on the coaſts or under the dominion of either of the parties, all aid and aſſiſtance ſhall be given to the perſons ſhipwrecked, or who may be in danger thereof, and paſſports ſhall be granted to them to ſecure their return to their own country. The ſhips and merchandizes wrecked, or their proceeds, if the effects have been ſold, being claimed in a year and a day, by the owners or their attorney, ſhall be reſtored, on their paying the coſts of ſalvage, conformable to the laws and cuſtoms of the two nations.

ART. 21. When the ſubjects and inhabitants of the two parties, with their veſſels, whether they be public and equipped for war, or private employed in commerce, ſhall be forced by tempeſt, by purſuit of privateers and of enemies

enemies, or by any other urgent neceſſity, to retire and enter any of the rivers, bays, roads or ports of either of the two parties, they ſhall be received and treated with all humanity and politeneſs, and they ſhall enjoy all friendſhip, protection and aſſiſtance, and they ſhall be at liberty to ſupply themſelves with refreſhments, proviſions, and every thing neceſſary for their ſuſtenance, for the repair of their veſſels, and for continuing their voyage; provided always, that they pay a reaſonable price, and they ſhall not in any manner be detained or hindered from ſailing out of the ſaid ports or roads, but they may retire and depart when and as they pleaſe, without any obſtacle or hindrance.

ART. 22. In order to favor commerce on both ſides as much as poſſible, it is agreed, that in caſe a war ſhould break out between the ſaid two nations, which God forbid, the term of nine months after the declaration of war, ſhall be allowed to the merchants and ſubjects reſpectively on one ſide and the other, in order that they may withdraw with their effects and moveables, which they ſhall be at liberty to carry off or to ſell where they pleaſe, without the leaſt obſtacle; nor ſhall any ſeize their effects, and much leſs their perſons, during the ſaid nine months; but on the contrary, paſſports which ſhall be valid for a time neceſſary for their return, ſhall be given them for their veſſels and the effects which they ſhall be willing to carry with them. And if any thing is taken from them, or if any injury is done to them by one of the parties, their people and ſubjects during the term above preſcribed, full and entire ſatisfaction ſhall be made to them on that account. The abovementioned paſſports ſhall alſo ſerve as a ſafe conduct againſt all inſults or prizes which privateers may attempt againſt their perſons and effects.

ART. 23. No ſubject of the king of Sweden ſhall take a commiſſion or letters of marque for arming any veſſel to act as a privateer againſt the United States of America, or any of them, or againſt the ſubjects, people or inhabitants of the ſaid United States or any of them, or againſt the

the property of the inhabitants of the ſaid ſtates, from any prince or ſtate whatever, with whom the ſaid United States ſhall be at war. Nor ſhall any citizen, ſubject or inhabitant of the ſaid United States or any of them, apply for or take any commiſſion or letters of marque, for arming any veſſel to cruize againſt the ſubjects of his Swediſh majeſty or any of them, or their property, from any prince or ſtate whatever with whom his ſaid majeſty ſhall be at war. And if any perſon of either nation, ſhall take ſuch commiſſions or letters of marque he ſhall be puniſhed as a pirate.

ART. 24. The veſſels of the ſubjects of either of the parties coming upon any of the coaſts belonging to the other, but not willing to enter into port, or being entered into port and not willing to unload their cargoes or to break bulk, ſhall not be obliged to do it; but on the contrary, ſhall enjoy all the franchiſes and exemptions which are granted by the rules ſubſiſting with reſpect to that object.

ART. 25. When a veſſel belonging to the ſubjects and inhabitants of either of the parties, ſailing on the high ſea, ſhall be met by a ſhip of war or privateer of the other, the ſaid ſhip of war or privateer, to avoid all diſorder, ſhall remain out of cannon ſhot, but may always ſend their boat to the merchant ſhip, and cauſe two or three men to go on board of her, to whom the maſter or commander of the ſaid veſſel ſhall exhibit his paſſport, ſtating the property of the veſſel, and when the ſaid veſſel ſhall have exhibited her paſſport, ſhe ſhall be at liberty to continue her voyage, and it ſhall not be lawful to moleſt or ſearch her in any manner, or to give her chaſe, or force her to quit her intended courſe.

ART. 26. The two contracting parties grant mutually the liberty of having each in the ports of the other, conſuls, vice-conſuls, agents and commiſſaries, whoſe functions ſhall be regulated by a particular agreement.

ART. 27. The preſent treaty ſhall be ratified on both ſides,

ſides, and the ratifications ſhall be exchanged in the ſpace of eight months, or ſooner if poſſible, counting from the day of the ſignature.

In faith whereof, the reſpective plenipotentiaries have ſigned the above articles, and have thereunto affixed their ſeals.

DONE at Paris, the third day of April, in the year of our Lord, one thouſand ſeven hundred and eighty-three.

(Signed)

GUSTAV. PHILIP Compte de CREUTZ. L. S.

B. FRANKLIN. L. S.

Separate Article.

THE king of Sweden and the United States of North-America, agree that the preſent treaty ſhall have its full effect for the ſpace of fifteen years, counting from the day of the ratification; and the two contracting parties reſerve to themſelves the liberty of renewing it at the end of that term.

DONE at Paris, the third of April, in the year of our Lord, one thouſand ſeven hundred and eighty-three.

(Signed.)

GUSTAV. PHILIP Compte de CREUTZ. L. S.

B. FRANKLIN. L. S.

Separate Articles.

ART. 1. His Swediſh majeſty ſhall uſe all the means in his power to protect and defend the veſſels and effects belonging to citizens or inhabitants of the United States of North-America and every of them, which ſhall be in the ports, havens, roads, or on the ſeas near the countries, iſlands, cities and towns of his ſaid majeſty, and ſhall uſe his utmoſt endeavours to recover and reſtore to the right owners, all ſuch veſſels and effects which ſhall be taken from them within his juriſdiction.

ART. 2. In like manner, the United States of North-America, ſhall protect and defend the veſſels and effects be-

belonging to the ſubjects of his Swediſh majeſty, which ſhall be in the ports, havens or roads, or on the ſeas near to the countries, iſlands, cities and towns of the ſaid ſtates, and ſhall uſe their utmoſt efforts to recover and reſtore to the right owners, all ſuch veſſels and effects which ſhall be taken from them within their juriſdiction.

ART 3. If in any future war at ſea, the contracting powers reſolve to remain neuter, and as ſuch, to obſerve the ſtricteſt neutrality, then it is agreed, that if the merchant ſhips of either party, ſhould happen to be in a part of the ſea where the ſhips of war of the ſame nation are not ſtationed, or if they are met on the high ſea, without being able to have recourſe to their own convoys, in that caſe the commander of the ſhips of war of the other party, if required, ſhall in good faith and ſincerity, give them all neceſſary aſſiſtance, and in ſuch caſe, the ſhips of war and frigates of either of the powers, ſhall protect and ſupport the merchant ſhips of the other; provided nevertheleſs, that the ſhips claiming aſſiſtance are not ingaged in any illicit commerce contrary to the principles of the neutrality.

ART. 4. It is agreed and concluded that all merchants, captains of merchant ſhips or other ſubjects of his Swediſh majeſty, ſhall have full liberty in all places under the dominion or juriſdiction of the United States of America, to manage their own affairs and to employ in the management of them whomſoever they pleaſe; and they ſhall not be obliged to make uſe of any interpreter or broker, nor to pay them any reward unleſs they make uſe of them. Moreover the maſters of ſhips ſhall not be obliged in loading or unloading their veſſels, to employ labourers appointed by public authority for that purpoſe; but they ſhall be at full liberty, themſelves to load or unload their veſſels, or to employ in loading or unloading them, whomſoever they think proper, without paying reward under the title of ſalary to any other perſon whatever; and they ſhall not be obliged to turn over any kind of merchandizes to other veſſels, nor to receive them on board their own, nor to wait for their lading, longer than they pleaſe, and all and every of the citizens, people and inhabitants of the United States of America, ſhall reciprocally

procally have and enjoy the ſame privileges and liberties in all places under the juriſdiction of the ſaid realm.

ART. 5. It is agreed, that when merchandizes ſhall have been put on board the ſhips or veſſels of either of the contracting parties, they ſhall not be ſubjected to any examination; but all examination and ſearch muſt be before lading, and the prohibited merchandizes muſt be ſtopped on the ſpot before they are embarked, unleſs there is full evidence or proof of fraudulent practice on the part of the owner of the ſhip, or of him who has the command of her; in which caſe only he ſhall be reſponſible and ſubject to the laws of the country in which he may be: in all other caſes neither the ſubjects of either of the contracting parties who ſhall be with their veſſels in the ports of the other, nor their merchandizes ſhall be ſeized or moleſted on account of contraband goods, which they ſhall have wanted to take on board, nor ſhall any kind of embargo be laid on their ſhips, ſubjects or citizens of the ſtate, whoſe merchandizes are declared contraband, or the exportation of which is forbidden, thoſe only who ſhall have ſold or intended to ſell or alienate ſuch merchandize, being liable to puniſhment for ſuch contravention.

DONE at Paris, the third day of April, in the year of our Lord one thouſand ſeven hundred and eighty three.

(Signed)

GUSTAV. PHILIP Compte de CREUTZ. L. S.

B FRANKLIN. L. S.

NOW therefore, to the end that the ſaid treaty may with all good faith be performed and obſerved on the part of theſe ſtates, all the citizens and inhabitants thereof, and more eſpecially all officers and others in the ſervice of the United States, are hereby enjoined and required to govern themſelves ſtrictly in all things according to the ſtipulations above recited.

DONE in Congreſs, at Princeton, this twenty-fifth day of September, in the year of our Lord one thouſand ſeven hundred and eighty-three, and of our ſovereignty and independence the eighth.

ELIAS BOUDINOT, Preſident.

CHARLES THOMSON, Secretary.

The

The committee conſiſting of Mr. Clark, Mr. Williamſon and Mr. Duane, to whom was referred a memorial of Stephen Moore, report

"That the memorialiſt is proprietor of a tract of land containing by eſtimation eleven hundred acres, lying in the high lands on the weſt ſide of Hudſon's river. That the fortifications and barracks at Weſt-Point, and its vicinity are erected within the ſaid tract, from which a conſiderable quantity of timber and wood has been taken for the uſe of thoſe works, and the garriſon poſted there in the courſe of the war. That in purſuance of an act of Congreſs of the 18th day of December, 1779, the quarter-maſter general returned an eſtimate of the damages which had been then ſuſtained by the memorialiſt.

That on the 7th of February, 1780, an order iſſued on the treaſury in favor of the ſaid memorialiſt for ten thouſand dollars, and alſo a draft on the governor of North-Carolina for thirty thouſand dollars, both towards ſatisfaction for the ſaid damages.

That the memorialiſt claims not only the arrears due to him on the beforementioned eſtimate, but alſo the value of wood and timber cut and taken for repairing and improving the ſaid fortifications, and accommodating the garriſon ſince that period; together with a reaſonable rent for the uſe of the ſaid land.

Upon this ſtate of facts, the committee are of opinion that the intereſt of the public, and of the memorialiſt, will be beſt promoted by a final ſettlement of the claims under conſideration, without any regard to the eſtimates grounded on the beforementioned act of the 18th of December, 1779."

Whereupon, *Reſolved*, That the ſuperintendant of finance take order for aſcertaining the quantity and value of the wood and timber, alſo of the hay which have been taken from the lands of the memorialiſt, Stephen Moore at Weſt Point for the public uſe, by referring the ſame to the determination of three diſintereſted perſons who ſhall be upon oath, one of whom ſhall be choſen by the ſuperintendant of finance, another by the memorialiſt,

and a third by the two firſt choſen. They ſhall alſo determine the rent of the buildings formerly erected, and of the lands from the time they have been in poſſeſſion of the public.

That the ſeveral ſums already received by the memorialiſt from the United States, on account of the ſaid lands ſhall be charged againſt him according to its value by the ſcale of depreciation of the 28th day of June, 1780; and the balance ſhall be paid or ſecured to him in the ſame manner as other ſimilar claims are paid or ſecured; the memorialiſt on his part giving ſufficient ſecurity to indemnify the United States againſt any claims made upon the ſaid lands.

According to order the houſe was reſolved into a committee of the whole, to take into conſideration the report of the committee appointed to conſider what juriſdiction may be proper for Congreſs in the place of their permanent reſidence.

Mr Carroll was elected to the chair. After ſome time the preſident reſumed the chair, and Mr. Carroll reported that the committee of the whole had taken into conſideration the report referred to them, and made ſome progreſs therein, but not having come to a concluſion deſire leave to ſit again to morrow.

Ordered, That leave be granted.

FRIDAY, SEPTEMBER 26, 1783.

On the report of the committee conſiſting of Mr. Peters, Mr. M'Henry and Mr. Bland, to whom was referred a letter of the 5th from the war office, relative to furloughing the Pennſylvania line, and ſubſiſtance to officers.

Reſolved, That in the opinion of Congreſs, the reſolves of the 26th of May and 11th of June laſt, authoriſing the commander in chief and ſecretary at war, to grant furloughs are fully ſufficient to enable them to take order in the buſineſs reſpecting the Pennſylvania line, and captain Second and lieutenant Beaulieu, mentioned in the letter from the aſſiſtant ſecretary at war of the 5th inſtant.

Reſolved,

Resolved, That the commander in chief be authorised and directed to grant furloughs to such of the general, medical and staff officers, and the officers of the engineers whose services are not in his opinion necessary for the troops remaining in actual service.

Congress took into consideration the report of a committee consisting of Mr. Duane, Mr. Rutledge, Mr. Fitzsimmons, Mr. Gerry and Mr. Higgenson, appointed to consider the late dispatches from the ministers of these United States at foreign courts, and to report what measures are necessary to be taken thereon —And the following paragraph being under debate, viz. "Your committe beg leave further to observe that in those dispatches and particularly in Mr. Adams's letter of the 18th of July, a sentiment is earnestly inculcated, which is indeed obvious in itself—that the union requires additional support from its members, and that if the United States become respectable it must be by means of more energy in government: for as some of the nations of Europe do not yet receive this important truth, "that the sphere of their own commerce will be eventually enlarged by the growth of America, but on the contrary manifest a jealousy of our future prosperity, it becomes the United States seriously to consider their own interests, and to devise such generalsystems and arrangements, commercial or political, as our own peculiar circumstances may from time to time require. Your committee therefore propose that a special committee be appointed to take this important subject under deliberation, and to report the result to Congress."

And on the question to agree to the foregoing paragraph, the yeas and nays being required by Mr. Howell,

New-Hampshire,	Mr. Foster	no	*
Massachusetts,	Mr. Holten	no	*
Rhode-Island,	Mr. Ellery	no	no
	Mr Howell	no	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	

Newe

New-Jerſey,	Mr Boudinot	ay	ay
	Mr. Clarke	ay	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Delaware,	Mr. Tilton	ay	ay
	Mr. Bedford	ay	
Maryland,	Mr. Carroll	ay	*
Virginia,	Mr. Bland	no	no
	Mr. Lee	no	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Read	ay	ay
	Mr. Beresford	ay	

So it was reſolved in the affirmative.

SATURDAY, SEPTEMBER 27, 1783.

On the report of a committee conſiſting of Mr. Hamilton, Mr M'Henry and Mr. Peters, to whom was referred a memorial of lieutenant colonel Ternant,

Reſolved, That lieutenant colonel Ternant be informed, that Congreſs in continuing general Armand in the command of his corps at the time of his promotion to his preſent rank, had reaſons of a peculiar nature, without any intention derogatory to the merit of lieutenant colonel Ternant, of whoſe uſeful and diſtinguiſhed ſervices in the ſeveral confidential and important ſtations in which he has been employed, they entertain a juſt ſenſe.

MONDAY, SEPTEMBER 29, 1783.

On the report of a committee conſiſting of Mr. Clarke, Mr Fitzſimmons and Mr. Hawkins, to whom was referred a memorial of Mark Bird, requeſting that the chain made for the defence of Hudſon's river, may be delivered to him at a reaſonable price,

Reſolved, That it is improper at this time to diſpoſe of the chain made for the defence of Hudſon's river.

On the report of a committee conſiſting of Mr. Gerry, Mr. Lee and Mr. Carroll, to whom was referred a motion of Mr. Gerry,

Reſolved,

Resolved, That the minister or ministers for negotiating peace in behalf of the United States, be, and they are hereby instructed to negotiate an explanation of the following paragraph of the declaration acceded to by the ministers plenipotentiary of the United States, the 20th January, 1783, relative to captures, viz. That the term should be one month from the Channel and North sea, as far as the Canary islands inclusively, whether in the Ocean or the Mediterranean.

Ordered, That a copy of the above instruction be sent to the court of appeals, and to the executives of the several states respectively.

TUESDAY SEPTEMBER 30, 1783.

On the report of a committee consisting of Mr. M'Henry, Mr. Peters and Mr. Bland, to whom was referred a letter of 15th May, from the secretary at war,

Resolved, That the secretary at war issue to all officers in the army, under the rank of major general, who hold the same rank now that they held in the year 1777, a brevet commission one grade higher than their present rank, having respect to their seniority; and that commissions for full colonels be granted to the lieutenant colonels of 1777, the resolution of 27th May, 1778, notwithstanding.

On the report of a committee consisting of Mr. M'Henry, Mr. Peters and Mr. Duane, to whom were referred a a letter from captain Second, and sundry other papers,

Resolved, That captains Second and De Pontiere, late of Pulaski's legion, be promoted to the rank of majors by brevet in the army of the United States; their relative rank to be settled according to the dates of their present commissions.

Resolved, That lieutenant Beaulieu be promoted to the rank of captain by brevet in the army of the United States.

On a report from the secretary at war:

Resolved, That the brevet commission of major in the army of the United States, issue to captain Haskell, aid de camp to major general R. Howe.

On the report of a committee consisting of Mr. M'Henry,

ry, Mr. Hawkins and Mr. Madiſon, to whom was referred a memorial of lieutenant Edward Phelon:

Whereas lieutenant Edward Phelon, of the fourth Maſſachuſetts regiment, hath, by his memorial ſet forth, that while he was fighting for the liberties of the United States, he received ſeveral wounds, under which he has for four years paſt, borne the moſt excruciating pains; and that during that time, he has been without any other ſupport from the public, than what has been given to other officers in full health; and that he is ſtill a cripple: And whereas the facts above ſet forth, are certified to be true in all their parts, by eleven of the general officers of the army, who have moreover recommended him as having ſerved with reputation to himſelf, and advantage to the United States, and as deſerving the favor and conſideration of Congreſs: therefore

Reſolved, That the ſecretary at war iſſue to lieutenant E. Phelon, a commiſſion of captain in the army of the United States.

On the queſtion to agree to this, the yeas and nays being required by Mr. Ellery.

New-Hampſhire,	Mr. Foſter	*ay*	] *
Maſſachuſetts,	Mr. Gerry	*ay*	} *ay*
	Mr. Holten	*ay*	
Rhode-Iſland,	Mr. Ellery	*no*	} *no*
	Mr. Howell	*no*	
Connecticut,	Mr. S. Huntington	*ay*	} *ay*
	Mr. B. Huntington	*ay*	
New-Jerſey,	Mr. Boudinot	*ay*	} *ay*
	Mr. Clarke	*ay*	
	Mr. Condict	*no*	
Pennſylvania,	Mr. Montgomery	*ay*	] *
Delaware,	Mr. Bedford	*ay*	} *ay*
	Mr. Tilton	*ay*	
Maryland,	Mr. Carroll	*ay*	} *ay*
	Mr. M'Henry	*ay*	
Virginia,	Mr. Bland	*ay*	} *ay*
	Mr. Lee	*ay*	
	Mr Mercer	*ay*	

North-

North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Read	ay	*

So it was reſolved in the affirmative.

WEDNESDAY, OCTOBER 1, 1783.

The ſuperintendant of finance, to whom was referred a memorial of John Halſted, having laid before Congreſs a report from the commiſſioner of accounts for the commiſſary's department, on the accounts of the ſaid J. Halſted.

Reſolved, That the accounts of John Halſted be ſettled on the principles ſtated in the ſaid report.

FRIDAY, OCTOBER 3, 1783.

Whereas it is provided in the ſixth of the articles of confederation, that "no veſſels of war ſhall be kept up in time of peace by any ſtate, except ſuch number only as ſhall be deemed neceſſary by the United States in Congreſs aſſembled, for the defence of ſuch ſtate or its trade; nor ſhall any body of forces be kept up by any ſtate in time of peace, except ſuch number only as in the judgment of the United States in Congreſs aſſembled, ſhall be deemed requiſite to garriſon the forts neceſſary for the defence of ſuch ſtate:" and the delegates of the ſtate of Virginia having applied to Congreſs, for their approbation of two armed veſſels being kept up by the ſaid ſtate at its own expence, for the purpoſe of ſecuring her trade; and having alſo laid before Congreſs an act paſſed by the legiſlature of the ſaid ſtate entitled, "An act directing the inliſtment of guards for the public priſons and ſtores."

Reſolved, That the ſtate of Virginia may keep up at its own expence, two armed veſſels for the defence of the trade of that ſtate, provided that the ſame do not exceed the number of 14 guns, ſix pounders, and 75 men each.

Reſolved, That the ſtate of Virginia may keep up at its own expence, to the number of 25 privates with proper officers to guard the public priſons and ſtores.

The order of the day being to conſider, the report of a committee

committee on Indian affairs was then called for, and the following paragraph being under debate.

"And whereas the legiſlature of the ſtate of New-York, have granted lands at Onondaga and Cayuga, to certain officers and privates in the ſervice of the United States, not only as bounties for recruiting and inliſting, but to appeaſe the diſcontents, which prevailed for want of their pay, and as a reward for their meritorious ſervices, the ſaid commiſſioners are therefore further inſtructed to take care as far as will be conſiſtent with the public peace, that in the eſtabliſhment of the propoſed lines, the ſaid military grants be not prejudiced or impeached; but if it ſhall appear that the perſiſting in ſuch grants and appropriations may ſo far irritate the Indians, as to expoſe theſe United States to the dangers and calamities of an Indian war; that then it will be proper for the commiſſioners to report the difficulties which ſhall ſo occur in their negotiation to the legiſlature of the ſtate of New-York; and in ſuch caſe, it is earneſtly recommended to the legiſlature of New-York, to reviſe the laws by which ſuch appropriations have been made, ſo as to prevent the calamities of a new rupture with the Indians."

A motion was made by Mr. Duane, ſeconded by Mr. Gerry, to ſtrike out the ſaid paragraph—And on the queſtion, Shall that paragraph ſtand? the yeas and nays being required by Mr. Gerry.

New-Hampſhire,	Mr. Foſter	*no*	*
Maſſachuſetts,	Mr. Gerry	*no*	*no*
	Mr. Holten	*no*	
Rhode-Iſland,	Mr. Ellery	*no*	*no*
	Mr. Howell	*no*	
Connecticut,	Mr. S. Huntington	*no*	*no*
	Mr. B. Huntington	*no*	
New-York,	Mr. Duane	*no*	*no*
	Mr. L'Hommedieu	*no*	
New-Jerſey,	Mr. Boudinot	*no*	*ay*
	Mr. Clarke	*ay*	
	Mr. Condict	*ay*	
Pennſylvania,	Mr. Montgomery	*ay*	*divided*
	Mr. Peters	*no*	

Delaware

Delaware,	Mr. Bedford	no	no
	Mr. Tilton	no	
Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Bland	no	no
	Mr. Lee	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Read	no	no
	Mr. Beresford	no	

So it paſſed in the negative, and the paragraph was ſtruck out.

The following paragraph being under debate.

That the commiſſioners for the northern and weſtern diſtricts, or ſuch other perſons as may be appointed by Congreſs, ſhall be inſtructed to unite together in holding one convention with the Indians inhabiting the diſtricts aforeſaid, and their allies and dependents, for the purpoſes aforeſaid, and only to yield to ſeparate conventions in caſe of inevitable neceſſity,

A motion was made by Mr. Bland, ſeconded by Mr. Lee, to amend by adding.

"Of which convention previous notice of at leaſt one month ſhall be given by Congreſs, to the ſeveral ſtates in the union from New-Hampſhire to Virginia incluſive, that ſuch ſtates as may conceive themſelves intereſted, may if they think proper, ſend commiſſioners to be preſent at the treaty negotiated with the Indians, for ſettling boundary lines by ſuch perſons as ſhall be appointed for that purpoſe by Congreſs."

And on the queſtion to agree to this amendment, the yeas and nays being required by Mr. Lee,

Maſſachuſetts,	Mr. Gerry	ay	ay
	Mr. Holten	ay	
Rhode-Iſland,	Mr. Howell	no	*
Connecticut,	Mr. S. Huntington	no	divided
	Mr. B Huntington	ay	
New-York,	Mr. Duane	n	no
	Mr. L'Hommedieu	no	

New-Jerſey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Montgomery	no	no
	Mr. Peters	no	
Delaware,	Mr. Bedford	no	no
	Mr. Tilton	no	
Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Bland	ay	ay
	Mr. Lee	ay	
	Mr Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Read	no	divided
	Mr. Beresford	ay	

So it paſſed in the negative.

SATURDAY, OCTOBER 4, 1783.

On motion of Mr. Gerry, ſeconded by Mr. Duane.

Reſolved, That the ſuperintendant of finance be directed to ſuſpend until the farther order of Congreſs, the ſale of all ſuch goods belonging to the United States as may be neceſſary for cloathing two thouſand troops, and ſuitable for ſupplying the Indians at a propoſed negotiation with them.

MONDAY, OCTOBER 6, 1783.

On motion of Mr. M'Henry, ſeconded by Mr. Mercer,

Whereas William Langburn, hath ſerved from the commencement of the war in the army of the United States, with equal diſintereſtedneſs and reputation.

Reſolved, That a brevet commiſſion of lieutenant colonel be granted to the ſaid William Langburn.

On motion of Mr. Duane, ſeconded by Mr. Mercer,

Reſolved, That the commander in chief be, and he is hereby authoriſed if he ſhall think proper, to reward the diligence and fidelity of the twelve horſemen, who have acted as his guard at head quarters, by preſenting them with their horſes and accoutrements on their diſcharge.

the

The order of the day being called for and read, to take into consideration the propositions of several states respecting a place for the permanent residence of Congress.

A motion was made by Mr Gerry, seconded by Mr. Holten,

That Congress resolve itself into a committee of the whole, to take into consideration the propositions of the several states from New-York to Virginia inclusive, respecting a place for the permanent residence of Congress.

Question put.

Passed in the negative.

A motion was made by Mr. Gerry, seconded by Mr, Foster, to postpone the order of the day, and on the question for postponing the yeas and and nays being required by Mr. Gerry,

New-Hampshire,	Mr. Foster	ay	*
Massachusetts,	Mr. Gerry	ay	ay.
	Mr. Holten	ay	
Rhode-Island,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jersey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennsylvania,	Mr. Wilson	no	no
	Mr. Montgomery	no	
	Mr. Peters	no	
Delaware,	Mr. Bedford	ay	ay
	Mr. Tilton	ay	
Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Jones	no	n
	Mr. Madison	no	
	Mr. Bland	no	
	Mr. Lee	no	
	Mr. Mercer	no	

North-

North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Read	no	*

So it paſſed in the negative.

A motion being before the houſe, it was moved by Mr. Howell, ſeconded by Mr. Ellery, that the order of the day with the motion, be poſtponed till the laſt Monday in this month: And on the queſtion for poſtponing, the yeas and nays being required by Mr. Howell.

New-Hampſhire,	Mr. Foſter	ay	*
Maſſachuſetts,	Mr. Gerry	ay	ay
	Mr. Holten	ay	
Rhode-Iſland,	Mr. Ellery	ay	ay
	Mr Howell	ay	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Wilſon	no	no
	Mr Peters	no	
Delaware,	Mr Bedford	no	no
	Mr. Tilton	no	
Maryland,	Mr. Carroll	no	no
	Mr. M,Henry	no	
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Bland	no	
	Mr. Lee	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Read	no	no
	Mr. Beresford	no	

So it paſſed in the negative.

On the queſtion,

Reſolved, That the queſtion be taken, in which ſtate buildings

buildings ſhall be provided and erected for the reſidence of Congreſs; beginning with New-Hampſhire, and proceeding in the order in which they ſtand.

The queſtion for New-Hampſhire paſſed in the negative.

The queſtion for Maſſachuſetts paſſed in the negative.

On the queſtion for Rhode-Iſland and Providence Plantations, the yeas and nays being required by Mr. Howell,

New-Hampſhire,	Mr. Foſter	no	no
Maſſachuſetts,	Mr. Gerry	no	no
	Mr. Holten	no	
Rhode-Iſland,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Wilſon	no	no
	Mr. Montgomery	no	
	Mr. Peters	no	
Delaware,	Mr. Bedford	no	no
	Mr. Tilton	no	
Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Bland	no	
	Mr. Lee	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South Carolina,	Mr. Read	no	no
	Mr. Beresford	no	

So it paſſed in the negative.

The queſtion for Connecticut paſſed in the negative.

On the queſtion to agree to New-York, the yeas and nays being required by Mr. Duane.

New-

New-Hampshire,	Mr. Foster	ay	ay
Massachusetts,	Mr. Gerry	no	no
	Mr. Holten	no	
Rhode Island,	Mr. Ellery	ay	divided
	Mr. Howell	no	
Connecticut,	Mr S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jersey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennsylvania,	Mr. Wilson	no	no
	Mr. Montgomery	no	
	Mr. Peters	no	
Delaware,	Mr Bedford	no	no
	Mr. Tilton	no	
Maryland,	Mr Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Jones	no	no
	Mr. Madison	no	
	Mr. Bland	no	
	Mr. Lee	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamson	no	
South-Carolina,	Mr. Read	no	no
	Mr. Beresford	no	

So it passed in the negative.

On the question to agree to New-Jersey, the yeas and nays being required by Mr. Boudinot.

New-Hampshire,	Mr. Foster	ay	ay
Massachusetts,	Mr. Gerry	ay	ay
	Mr. Holten	ay	
Rhode-Island,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	

New-

New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr Clarke	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Wilſon	no	no
	Mr. Montgomery	no	
	Mr. Peters	no	
Delaware,	Mr. Bedford	no	no
	Mr. Tilton	no	
Maryland,	Mr. Carroll	no	no
	Mr M'Henry	no	
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Bland	no	
	Mr. Lee	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Read	no	no
	Mr. Beresford	no	

So it paſſed in the negative.

On the queſtion for Pennſylvania, the yeas and nays being required by Mr. Wilſon,

New-Hampſhire,	Mr. Foſter	no	no
Maſſachuſetts,	Mr. Gerry	no	
	Mr. Holten	no	
Rhode-Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Wilſon	ay	ay
	Mr Montgomery	ay	
	Mr. Peters	ay	

Delaware,

Delaware,	Mr. Bedford	no	no
	Mr. Tilton	no	
Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Bland	no	
	Mr. Lee	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina	Mr. Read	ay	divided
	Mr. Beresford	no	

So it paſſed in the negative.

On the queſtion for Delaware, the yeas and nays being required by Mr. Bedford.

New-Hampſhire,	Mr. Foſter	no	no
Maſſachuſetts,	Mr. Gerry	no	no
	Mr. Holten	no	
Rhode Iſland,	Mr. Ellery	ay	divided
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Wilſon	no	no
	Mr. Montgomery	ay	
	Mr. Peters	no	
Delaware,	Mr. Bedford	ay	ay
	Mr. Tilton	ay	
Maryland,	Mr. Carroll	no	divided
	Mr. M'Henry	ay	
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Bland	no	
	Mr. Lee	no	
	Mr. Mercer	no	

North

North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Read	no	divided
	Mr. Beresford	ay	

So it paſſed in the negative.

On the queſtion for Maryland, the yeas and nays being required by Mr. Carroll.

New-Hampſhire,	Mr. Foſter	no	*
Maſſachuſetts,	Mr. Gerry	no	no
	Mr. Holten	no	
Rhode-Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Wil...	no	no
	Mr. Montgomery	no	
	Mr. Peters	no	
Delaware,	Mr. Bedford	no	no
	Mr. Tilton	no	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	no	
	Mr. Lee	ay	
	Mr Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Read	ay	ay
	Mr. Beresford	ay	

So it paſſed in the negative.

On the queſtion for Virginia, the yeas and nays being required by Mr. Bland.

New-Hampshire,	Mr. Foster	no	no
Massachusetts,	Mr. Gerry	ay	divided
	Mr. Holten	no	
Rhode Island,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New Jersey,	Mr Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennsylvania,	Mr. Wilson	no	no
	Mr. Montgomery	no	
	Mr. Peters	no	
Delaware,	Mr. Bedford	no	no
	Mr. Tilton	no	
Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Jones	ay	ay
	Mr. Madison	ay	
	Mr. Bland	ay	
	Mr. Lee	ay	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamson	no	
South-Carolina,	Mr. Read	ay	divided
	Mr. Beresford	no	

So it passed in the negative.

The question for North-Carolina passed in the negative.
The question for South-Carolina passed in the negative.
The question for Georgia passed in the negative.

Resolved, That the fixing on a place for providing and erecting buildings for the residence of Congress, be an order of the day for to morrow.

TUESDAY October 7, 1783.

A deputation from the yearly meeting of the people called

called Quakers, held in Philadelphia, for Pennſylvania, New-Jerſey and Delaware, and the weſtern parts of Maryland and Virginia, having ſignified to the preſident their deſire of preſenting an addreſs to Congreſs.

Reſolved, That the preſident inform them that Congreſs will receive their addreſs tomorrow at twelve o'clock.

The order of the day being called for,

A motion was made by Mr Gerry, ſeconded by Mr. Howell,

That buildings for the uſe of Congreſs be erected on the banks of the Delaware near Trenton, or of Patomack near George-Town, provided a ſuitable diſtrict can be procured on one of the rivers as aforeſaid, for a federal town, and that the right of ſoil and an excluſive or ſuch other juriſdiction as Congreſs may direct, ſhall be veſted in the United States.

A motion was made by Mr. Bedford, ſeconded by Mr. Wilſon, to ſtrike out the words, "near Trenton, " and near George-Town:" And on the queſtion, Shall thoſe words ſtand? the yeas and nays being required by Mr. Bedford,

New-Hampſhire,	Mr. Foſter	no	no*
Maſſachuſetts,	Mr. Gerry	ay	ay
	Mr. Holten	no	
	Mr. Oſgood	ay	
Rhode-Iſland,	Mr. Elleſy	no	divided
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Fitzſimmons	no	no
	Mr. Wilſon	no	
	Mr. Montgomery	no	
	Mr. Peters	no	
Delaware,	Mr. Bedford	no	no
	Mr. Tilton	no	

Maryland,

Maryland,	Mr. Carroll	no	divided
	Mr. M'Henry	ay	
Virginia,	Mr. Jones	ay	ay
	Mr. Madiſon	ay	
	Mr. Bland	ay	
	Mr. Lee	no	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South Carolina,	Mr. Read	ay	divided
	Mr. Beresford	no	

So the queſtion was loſt, and the words were ſtruck out.

A motion was then made by Mr. Duane, ſeconded by Mr. Holten, to add "the Hudſon:" And on the queſtion to agree to this amendment, the yeas and nays being required by Mr. Duane,

New-Hampſhire,	Mr. Foſter	ay	ay
Maſſachuſetts,	Mr. Gerry	no	no
	Mr. Holten	ay	
	Mr. Oſgood	no	
Rhode-Iſland,	Mr. Ellery	ay	divided
	Mr. Howell	no	
Connecticut,	Mr B. Huntington	no	no
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr Boudinot	ay	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr Fitzſimmons	no	no
	Mr. Wilſon	no	
	Mr Montgomery	no	
	Mr. Peters	no	
Delaware,	Mr Bedford	no	no
	Mr. Tilſon	no	
Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Bland	no	
	Mr. Lee	no	
	Mr. Mercer	no	

North-

North-Carolina,	Mr. Hawkins	no	divided
	Mr. Williamſon	ay	
South-Carolina	Mr. Read	no	no
	Mr. Beresford	no	

So it paſſed in the negative.

The motion being then amended, ſo as to read,

That building for the uſe of Congreſs be erected on or near the banks of the Delaware, or of the Potomack; provided a ſuitable diſtrict can be procured on one of the rivers as aforeſaid for a federal town; and that the right of ſoil, and an excluſive or ſuch other juriſdiction as Congreſs may direct, ſhall be veſted in the United States.

A motion was then made by Mr. Carroll, ſeconded by by Mr. M'Henry, to poſtpone the motion before the houſe, in order to take into conſideration the following reſolve.

That Congreſs do in behalf of the United States, accept the offer made by the legiſlature of the ſtate of Maryland, by their act of for the reſidence of Congreſs.

And on the queſtion for poſtponing the yeas and nays being required by Mr. Carroll.

New-Hampſhire,	Mr. Foſter	no	*
Maſſachuſetts,	Mr. Gerry	no	no
	Mr. Holten	no	
	Mr. Oſgood	no	
Rhode-Iſland,	Mr. Ellery	no	no
	Mr Howell	no	
Connecticut,	Mr. S. Huntington	ay	divided
	Mr. B. Huntington	no	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Fitzſimmons	no	no
	Mr. Wilſon	no	
	Mr. Montgomery	no	
	Mr. Peters	no	

Delaware,

Delaware,	Mr. Bedford	ay	divided
	Mr. Tilton	no	
Maryland,	Mr. Carroll	ay	ay
	Mr. M,Henry	ay	
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Bland	no	
	Mr. Lee	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Read	ay	divided
	Mr. Beresford	no	

So it paſſed in the negative.

On the queſtion to agree to the motion as amended.
Reſolved in the affirmative.
On the queſtion,
That buildings for the uſe of Congreſs be erected on or near the banks of the Delaware, the yeas and nays being required by Mr. Wilſon.

New-Hampſhire,	Mr. Foſter	ay	*
Maſſachuſetts,	Mr. Gerry	no	ay
	Mr. Holten	ay	
	Mr. Oſgood	ay	
Rhode Iſland,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Wilſon	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Delaware,	Mr. Bedford	ay	ay
	Mr. Tilton	ay	

Maryland,

Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Bland	no	
	Mr. Lee	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Read	no	no
	Mr. Beresford	no	

So it was

Reſolved, That buildings for the uſe of Congreſs be erected on or near the banks of the Delaware, provided a ſuitable diſtrict can be procured on or near the banks of the ſaid river, for a federal town; and that the right of ſoil, and an excluſive or ſuch other juriſdiction as Congreſs may direct, ſhall be veſted in the United States.

A motion was then made by Mr. Bedford, ſeconded by Mr. Tilton,

That the buildings for the uſe of Congreſs, be erected in the ſtate of Delaware, near Wilmington: And on the queſtion to agree to this, the yeas and nays being required by Mr. Bedford.

New Hampſhire,	Mr. Foſter	no	no
Maſſachuſetts,	Mr. Gerry	no	no
	Mr. Holten	no	
	Mr. Oſgood	no	
Rhode-Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Fitzſimmons	no	no
	Mr. Wilſon	no	
	Mr. Peters	no	

Delaware,

Delaware,	Mr. Bedford	ay	ay
	Mr. Tilton	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Jones	no	no
	Mr. Madiſon	no	
	Mr. Bland	ay	
	Mr. Lee	no	
	Mr Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Read	ay	ay
	Mr. Beresford	ay	

So it paſſed in the negative.

On motion,

Reſolved, That the place on the Delaware for erecting buildings for the uſe of Congreſs, be near the falls.

Reſolved, That a committee of five be appointed to repair to the falls of Delaware, to view the ſituation of the country in its neighbourhood, and report a proper diſtrict for carrying into effect, the preceding reſolution. The members Mr. Gerry, Mr. S. Huntington, Mr. Peters, Mr. Duane, Mr. Clarke.

Reſolved, That it be an order of the day for to morrow, to conſider of the temporary reſidence of Congreſs.

WEDNESDAY, OCTOBER 8, 1783.

A motion was made by Mr. Williamſon, ſeconded by Mr. Read,

To reconſider the reſolution of yeſterday, by which the reſidence of Congreſs is to be fixed near the falls of Delaware, in order to fix on ſome other place that ſhall be more central, more favorable to the union, and ſhall approach nearer to that juſtice which is due to the ſouthern ſtates. And on the queſtion to reconſider the reſolution of yeſterday, by which the reſidence of Congreſs is to be fixed near the falls of Delaware, the yeas and nays being required by Mr. Williamſon,

New-Hampſhire,	Mr. Foſter	no	*
Maſſachuſetts,	Mr. Gerry	no	
	Mr. Holten	no	no
	Mr. Oſgood	no	
Rhode-Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	
	Mr. Clarke	no	no
	Mr. Condict	no	
Pennſylvania,	Mr. Fitzſimmons	no	
	Mr. Wilſon	no	no
	Mr. Montgomery	no	
	Mr. Peters	no	
Delaware,	Mr Bedford	ay	ay
	Mr. Tilton	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Jones	ay	
	Mr. Madiſon	ay	ay
	Mr. Lee	ay	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina	Mr. Read	ay	ay
	Mr. Beresford	ay	

So the queſtion was loſt.

The deputation from the yearly meeting of the people called Quakers, attended, and being admitted, delivered their addreſs and withdrew.

FRIDAY, OCTOBER 10, 1783.

The order of the day being called for,

A motion was made by Mr. Bedford, ſeconded by Mr. Mercer,

That for the more convenient tranſaction of the buſineſs of the United States and accommodation of Congreſs, it is expedient for them to adjourn from their preſent reſidence; whereupon

It was moved by Mr. Gerry, and ſeconded by Mr. Holten, to ſtrike out the words, "tranſaction of the buſineſs of the United States, and"—And on the queſtion, Shall the words ſtand? the yeas and nays being required by Mr. Read,

New-Hampſhire,	Mr. Foſter	no	*
Maſſachuſetts,	Mr. Gerry	no	no
	Mr. Holten	no	
	Mr. Oſgood	no	
Rhode-Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	divided
	Mr. Condict	no	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Wilſon	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Delaware,	Mr. Bedford	ay	ay
	Mr. Tilton	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Madiſon	ay	ay
	Mr. Lee	no	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South Carolina,	Mr. Read	ay	ay
	Mr. Beresford	ay	

So it was reſolved in the affirmative.

On the queſtion to agree to the main queſtion, the yeas and nays being required by Mr. Gerry.

New-Hampſhire,	Mr. Foſter	no	no
Maſſachuſetts,	Mr. Gerry	no	no
	Mr. Holten	no	
	Mr. Oſgood	no	
Rhode Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Condict	no	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Wilſon	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Delaware,	Mr. Bedford	ay	ay
	Mr. Tilton	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Madiſon	ay	ay
	Mr. Lee	ay	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Read	ay	ay
	Mr. Beresford	ay	

So it was reſolved in the affirmative.

A motion was then made by Mr. Williamſon, ſeconded by Mr. Peters,

That on the laſt Thurſday in this month, the preſident adjourn Congreſs to meet at Philadelphia on the next Saturday, there to ſit for the diſpatch of public buſineſs, till the firſt Monday in June next; at which time, the preſident is hereby empowered and directed to adjourn Congreſs to meet at Trenton on the Wedneſday following.

It was thereupon moved by Mr. Duane, ſeconded by Mr. Howell, to ſtrike out "Philadelphia," together with the

the words "till the first Monday, &c." to the end; and in lieu of Philadelphia struck out, to insert "Trenton."

And on the question to agree to this amendment, the yeas and nays being required by Mr. Duane.

New-Hampshire,	Mr. Foster	ay	ay
Massachusetts,	Mr. Gerry	ay	ay
	Mr. Holten	ay	
	Mr. Osgood	ay	
Rhode-Island,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jersey,	Mr. Boudinot	ay	ay
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennsylvania,	Mr. Fitzsimmons	no	no
	Mr. Wilson	no	
	Mr. Montgomery	no	
	Mr. Peters	no	
Delaware,	Mr. Bedford	no	no
	Mr. Tilton	no	
Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Madison	no	no
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamson	no	
South-Carolina,	Mr. Read	no	no
	Mr. Beresford	no	

So it passed in the negative.

On the question to agree to the main question, the yeas and nays being required by Mr Read.

New-Hampshire,	Mr. Foster	no	no
Massachusetts,	Mr. Gerry	no	no
	Mr. Holten	no	
	Mr. Osgood	no	
Rhode-Island,	Mr. Ellery	no	no
	Mr. Howell	no	

Connecticut,

Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Wilſon	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Delaware,	Mr. Bedford	ay	ay
	Mr. Tilton	ay	
Maryland,	Mr. Carroll	ay	divided
	Mr. M'Henry	no	
Virginia,	Mr. Madiſon	ay	ay
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Read	ay	divided
	Mr. Beresford	no	

So the queſtion was loſt.

The committee conſiſting of Mr. S. Huntington, Mr. Gerry, and Mr. Duane, to whom were referred the letters from general Du Portail, relating to himſelf and the other engineers of the royal corps, in the ſervice of his moſt chriſtian majeſty, report

That major general Du Portail, brigadier general Laumoy, and colonel Gouvion, were permitted by his moſt chriſtian majeſty to ſerve in the army of United States, and for this purpoſe furloughs were granted to them by the king of France, from time to time, and it appears that from a deſire to give a repeated manifeſtation of his attachment to the United States, the ſervices of theſe engineers were conſidered equally entitling them to the favour of their ſovereign, as if they had been performed in the armies of France.

That theſe gentlemen have diſtinguiſhed themſelves in their profeſſion, during their ſervice in America, as active, intelligent, and uſeful officers, and conſidering that they entered our ſervice with the particular approbation and

and consent of their sovereign, it appears to your committee that it will be expedient to grant them some peculiar testimonies of the sense Congress entertain of their services, as well as to expedite their return to the corps to which they are attached in France: whereupon

Resolved, That major general Du Portail, brigadier general Laumoy and colonel Gouvion, who have served with distinguished merit in the department of engineers, have leave to retire from the service of the United States, their affairs requiring their presence in Europe, and no arrangements having yet been made by which Congress might employ the abilities of those gentlemen, however desirous they might be of their services.

Resolved, That the secretary at war, express to the minister plenipotentiary of his most christain majesty in America, the high sense Congress entertain of the zeal, abilities and conduct of these officers during their service in the army of the United States, to the end that the said minister may convey to his court, the approbation of Congress of their distinguished merit.

Resolved, That the superintendant of finance, cause the accounts of major general Du Portail, brigadier general Laumoy and colonel Gouvion, to be immediately adjusted, and advance to them respectively such sums as the state of the public finances will in his opinion admit, giving them certificates on interest for the balances which may be found due to them.

SATURDAY, October 11, 1783.

The committee consisting of Mr. Rutledge, Mr. Peters, Mr. Carroll, Mr. Hamilton and Mr. Bland, appointed pursuant to the act of 17th June, 1781, to enquire fully into the proceedings of the department of war, reported the result of their enquiries:

The order of the day being called for, a motion was made by Mr. Ellery, seconded by Mr. Holten,

That the president of Congress be, and he is hereby authorised and directed to adjourn Congress on the 22d, to meet at Annapolis in the state of Maryland on the 31st of October instant, there to sit for the dispatch of pub-

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ſic buſineſs, till the firſt Monday in June next, at which time the preſident is hereby empowered and directed to adjourn Congreſs to meet at Trenton on the Wedneſday following.

A motion was made by Mr. Howell, ſeconded by Mr. M'Henry, to ſtrike out the words, "there to ſit for the diſpatch of public buſineſs, &c." to the end

And on the queſtion Shall the words moved to be ſtruck out ſtand? the yeas and nays being required by Mr. Carroll,

Maſſachuſetts,	Mr. Gerry	ay	ay
	Mr. Holten	ay	
	Mr. Oſgood	ay	
Rhode Iſland,	Mr. Ellery	ay	divided
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	a
	Mr. Clarke	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Wilſon	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Delaware,	Mr. Bedford	ay	divided
	Mr. Tilton	no	
Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Madiſon	ay	no
	Mr. Lee	no	
	Mr. Mercer	no	
North Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South Carolina,	Mr. Read	ay	divided
	Mr. Beresford	no	

So the queſtion was loſt, and the words were ſtruck out.

A motion was then made by Mr. Gerry, ſeconded by Mr. Holten, to add to the motion as amended, the following

lowing words—for the place of their temporary residence:

And on the question, to agree to this amendment the yeas and nays being required by Mr. Mercer.

Massachusetts,	Mr. Gerry	ay	
	Mr. Holten	ay	ay
	Mr. Osgood	ay	
Rhode-Island,	Mr. Ellery	ay	
	Mr. Howell	ay	ay
Connecticut,	Mr. S. Huntington	ay	
	Mr. B. Huntington	ay	ay
New-York,	Mr. Duane	ay	
	Mr. L'Hommedieu	ay	ay
New-Jersey,	Mr. Boudinot	ay	
	Mr. Clarke	ay	ay
	Mr. Condict	ay	
Pennsylvania,	Mr. Fitzsimmons	ay	
	Mr. Wilson	ay	
	Mr. Montgomery	ay	ay
	Mr. Peters	ay	
Delaware,	Mr. Bedford	ay	
	Mr. Tilton	ay	ay
Maryland,	Mr. Carroll	ay	
	Mr. M'Henry	ay	ay
Virginia,	Mr. Madison	ay	
	Mr. Lee	ay	ay
	Mr Mercer	no	
North-Carolina,	Mr. Hawkins	ay	
	Mr. Williamson	no	divided
South-Carolina,	Mr. Read	ay	
	Mr. Beresford	no	divided

So it was resolved in the affirmative.

On the question to agree to the motion as amended, the yeas and nays being required by Mr. Carroll.

Massachusetts,	Mr. Gerry	ay	
	Mr. Holten	ay	ay
	Mr. Osgood	ay	
Rhode-Island,	Mr. Ellery	ay	
	Mr. Howell	ay	ay

Con-

Connecticut,	Mr. S Huntington	ay	ay
	Mr B. Huntington	ay	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jersey,	Mr. Boudinot	no	no
	Mr Clarke	no	
	Mr. Condict	no	
Pennsylvania,	Mr. Fitzsimmons	no	no
	Mr. Wilson	no	
	Mr. Montgomery	no	
	Mr. Peters	no	
Delaware,	Mr. Bedford	ay	ay
	Mr. Tilton	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. M,Henry	ay	
Virginia,	Mr. Madison	no	no
	Mr. Lee	ay	
	Mr. Mercer	no	
North.Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamson	ay	
South-Carolina,	Mr. Read	no	divided
	Mr. Beresford	ay	

So the question was lost.

MONDAY, OCTOBER 13, 1783.

On motion of Mr. Montgomery, seconded by Mr. Peters,

Resolved, That the secretary at war issue to lieutenant colonel Ternant, the brevet commission of colonel.

On the report of a committee consisting of Mr. Gerry, Mr Williamson and Mr. Clarke,

Ordered, That the superintendant of finance and secretary at war, give orders for transmitting to the legislature of the state of New Hampshire, an account of the sums, that by the books or documents in their respective offices shall appear to have been advanced in money, clothing or other articles, to Ebenezer Greene, one of the hostages of the American troops, taken at the Cedars; and that the date of his exchange be also transmitted by the secretary at war, in order that the legis-

lature may adjuſt the accounts of the ſaid Ebenezer Greene with the United States, and diſcharge any balance that may be due thereon.

On the report of a committee conſiſting of Mr. Read, Mr. Peters and Mr. Duane, to whom were referred a letter of 2d October from the commander in chief, and a letter of Auguſt 8th from the ſecretary at war, together with a letter from colonel Koſciuſko,

Reſolved, That the ſecretary at war tranſmit to colonel Koſciuſko, the brevet commiſſion of brigadier general, and ſignify to that officer, that Congreſs entertain an high ſenſe of his long, faithful and meritorious ſervices.

A report from the ſecretary at war, on the caſe of captain Goodale, being read, a motion was made by Mr. Holten, ſeconded by Mr. M'Henry,

Whereas it appears that captain Goodale, lately promoted to the rank of major by brevet, has diſtinguiſhed himſelf by extraordinary military ſervices, the ſecretary at war iſſue to captain Goodale, a major's commiſſion in the line of the army.

On the queſtion to agree to this, the yeas and nays being required by Mr Holten.

New-Hampſhire,	Mr. Foſter	no	*
Maſſachuſetts,	Mr. Gerry	ay	
	Mr. Holten	ay	ay
	Mr. Oſgood	ay	
Rhode-Iſland,	Mr. Ellery	no	
	Mr Howell	no	no
Connecticut,	Mr. S. Huntington	no	
	Mr. B. Huntington	no	no
New-York,	Mr. L'Hommedieu	no	*
New-Jerſey,	Mr. Boudinot	no	
	Mr. Clarke	no	no
	Mr. Condict	no	
Pennſylvania,	Mr. Montgomery	no	
	Mr. Peters	no	no
Delaware,	Mr. Tilton	ay	*
Maryland,	Mr. Carroll	ay	
	Mr. M'Henry	ay	ay

Virginia

Virginia,	Mr. Lee	no	no
	Mr. Mercer	no	
North-Carolina,	Mr. Williamſon	no	no

So the queſtion was loſt.

The order of the day being called for,

A motion was made by Mr. Mercer, ſeconded by Mr. Lee,

That Congreſs will on the 15th inſtant, adjourn to meet at the city of Williamſburg, in the ſtate of Virginia, on the 30th inſtant, there to ſit for the diſpatch of public buſineſs.

A motion was made by Mr. Howell, ſeconded by Mr. Ellery, to ſtrike out the words, "there to ſit for the diſpatch of public buſineſs," and in lieu thereof inſert, "for the place of their temporary reſidence:"

And on the queſtion, to agree to this amendment the yeas and nays being required by Mr. Mercer.

New-Hampſhire,	Mr. Foſter	ay	ay
Maſſachuſetts,	Mr. Gerry	ay	ay
	Mr. Holten	ay	
	Mr. Oſgood	ay	
Rhode-Iſland,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	ay	divided
	Mr. B. Huntington	no	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Clarke	no	
	Mr. Condict	ay	
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Wilſon	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Delaware,	Mr. Tilton	ay	ay
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Lee	no	no
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	ay	divided
	Mr. Williamſon	no	

So the queſtion was loſt.

On

On the queſtion to agree to the main queſtion, the yeas and nays being required by Mr. Mercer.

New-Hampſhire,	Mr. Foſter	no	no
Maſſachuſetts,	Mr. Gerry	no	no
	Mr. Holten	no	
	Mr. Oſgood	no	
Rhode Iſland,	Mr. Ellery	no	divided
	Mr. Howell	ay	
Connecticut,	Mr S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Fitzſimmons	no	no
	Mr. Wilſon	no	
	Mr. Montgomery	no	
	Mr. Peters	no	
Delaware,	Mr. Tilton	ay	no
Maryland,	Mr Carroll	no	
	Mr M'Henry	no	
Virginia,	Mr. Lee	ay	ay
	Mr Mercer	ay	
North Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	

So it paſſed in the negative.

TUESDAY OCTOBER 14, 1783.

On motion of Mr. Clarke, ſeconded by Mr. B. Huntington,

Reſolved That in conſideration of the ſervices and ſufferings of John Halſtead, while employed in the ſervice of the United States in Canada, the ſuperintendant of finance take order for paying him four hundred dollars, in part of his account.

Congreſs took into conſideration the report of a committee conſiſting of Mr. Duane, Mr. Peters, Mr. Carroll, Mr. Hawkins and Mr. A. Lee, to whom was referred

referred a number of letters and papers relative to Indian affairs, and the following paragraph being under debate. viz.

Your committee therefore ſubmit it to conſideration, whether it is not wiſe and neceſſary that a committee be appointed to report to Congreſs on the expediency of laying out a ſuitable diſtrict within the ſaid territory, and of erecting it into a diſtinct government, as well for doing juſtice to the army of the United States, who are entitled to lands as a bounty, or in reward for their ſervices, as for the accommodation of ſuch as may incline to become purchaſers and inhabitants, with inſtructions to ſuch committee to deviſe a plan for the temporary government, of the inhabitants and the due adminiſtration of juſtice, until their number and circumſtances ſhall entitle them to a place among the ſtates in the union, when they ſhall be at liberty to form a conſtitution for themſelves, not incompatible with the republican principles which are the baſis of the conſtitutions of the reſpective ſtates in the union,

A motion was made by Mr. Gerry, to amend the ſaid paragraph, ſo that it may read as follows.

Your committee therefore ſubmit it to conſideration, whether it will not be wiſe and neceſſary as ſoon as circumſtances ſhall permit, to erect a diſtrict of the weſtern territory into a diſtinct government, as well for doing juſtice to the army of the United States, who are entitled to lands as a bounty or in reward of their ſervices, as for the accommodation of ſuch as may incline to become purchaſers and inhabitants, and in the interim to appoint a committee to report a plan conſiſtent with the principles of the confederation, for connecting with the union by a temporary government, the purchaſers and inhabitants of the ſaid diſtrict, until their number and circumſtances ſhall entitle them to form a permanent conſtitution for themſelves, and as citizens of a free, ſovereign and independent ſtate, to be admitted to a repreſentation in the union; provided ſuch conſtitution ſhall not be incompatible with the republican principles, which are the baſis of the conſtitutions of the reſpective ſtates in the union.

A motion

A motion was made by Mr. Howell, ſeconded by Mr. Ellery, to poſtpone that amendment in order to admit an amendment, to make the paragraph read as follows.

Your committee recommended it as neceſſary and expedient as ſoon as circumſtances will admit, to lay out a ſuitable diſtrict within the ſaid territory, and to erect it into a diſtinct government, as well for doing juſtice to the army of the United States, who are entitled to lands as a bounty, or in reward of their ſervices, as for the accommodation of ſuch as may incline to become purchaſers and inhabitants, and for this purpoſe that a committee be appointed to deviſe and report a plan for the government of the inhabitants and the due adminiſtration of juſtice, which, if agreeable to the ſettlers, ſhall be their temporary government until their number and circumſtances ſhall entitle them to a place among the ſtates in the union, when they ſhall be at liberty to form a conſtitution for themſelves, not incompatible with the republican principles, which are the baſis of the conſtitutions of the reſpective ſtates in the union.

And on the queſtion to poſtpone for the purpoſe abovementioned, the yeas and nays being required by Mr. Howell.

New Hampſhire,	Mr. Foſter	no	no *
Maſſachuſetts,	Mr. Gerry	no	no
	Mr. Holten	no	
	Mr. Olgood	no	
Rhode-Iſland,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	no
	Mr. Clarke	no	
	Mr. Condict	no	
Pennſylvania,	Mr. Fitzſimmons	ay	no
	Mr. Wilſon	no	
	Mr. Peters	no	
Delaware,	Mr. Tilton	no	no *

Maryland,

Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Madiſon	no	no
	Mr. Lee	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Read	no	*

So it paſſed in the negative.

On the queſtion, Mr. Gerry's amendment was agreed to.

WEDNESDAY, OCTOBER 15, 1783.

The committee conſiſting of Mr. Duane, Mr. Peters, Mr. Carroll, Mr. Hawkins, and Mr. A. Lee, to whom were referred ſundry letters and papers relative to Indian affairs, report, that they have attentively conſidered the ſeveral papers referred to them, and have conferred thereon with the commander in chief—That their report will be confined to Indian affairs in the northern and middle departments, as they are defined by the acts of Congreſs of the 12th of July, 1775, and to the ſettlement of the weſtern country, theſe ſubjects being in the opinion of the committee inſeparably connected, and the committee not being poſſeſſed of materials which enable them to extend their views to the ſouthern diſtrict. That it is repreſented, and the committee believe with truth, that although the hoſtile tribes of Indians in the northern and middle departments, are ſeriouſly diſpoſed to a pacification, yet they are not in a temper to relinquiſh their territorial claims, without further ſtruggles. That if an Indian war ſhould be rekindled, repeated victories might produce the retreat of the Indians, but could not prevent them from regaining poſſeſſion of ſome part of the diſtant and extenſive territories, which appertain to the United States; that while ſuch temporary expulſions could only be effected at a great charge, they could not be improved to the ſmalleſt advantage, but by maintaining numerous garriſons and an expenſive peace eſtabliſhment; that even if all the northern and weſtern tribes of Indians inhabiting the territories of the United States, could be totally expelled, the policy of reducing them to ſuch an extremity is deemed to be queſtionable

queſtionable; for in ſuch an event it is obvious that they would find a welcome reception from the Britiſh government in Canada, which by ſo great an acceſſion of ſtrength would become formidable in caſe of any future rupture, and in peace by keeping alive the reſentment of the Indians for the loſs of their country, would ſecure to it's own ſubjects the entire benefit of the fur trade: that although motives of policy as well as clemency ought to incline Congreſs to liſten to the prayers of the hoſtile Indians for peace, yet in the opinion of the committee it is juſt and neceſſary that lines of property ſhould be aſcertained and eſtabliſhed between the United States and them, which will be convenient to the reſpective tribes, and commenſurate to the public wants, becauſe the faith of the United States ſtands pledged to grant portions of the uncultivated lands as a bounty to their army, and in reward of their courage and fidelity, and the public finances do not admit of any conſiderable expenditure to extinguiſh the Indian claims upon ſuch lands; becauſe it is become neceſſary by the increaſe of domeſtic population and emigrations from abroad, to make ſpeedy proviſion for extending the ſettlement of the territories of the United States; and becauſe the public creditors have been led to believe and have a right to expect that thoſe territories will be ſpeedily improved into a fund towards the ſecurity and payment of the national debt. Nor in the opinion of the committee can the Indians themſelves have any reaſonable objection againſt the eſtabliſhment recommended. They were, as ſome of them acknowledge aggreſſors in the war, without even a pretence of provocation; they violated the convention of neutrality made with Congreſs at Albany in 1775, and in return for proferred protection, and liberal ſupplies, and to the utter ruin and impoveriſhment of thouſands of families, they wantonly deſolated our villages and ſettlements, and deſtroyed our citizens. To ſtop the progreſs of their outrages, the war at a vaſt expence to the United States, was carried into their own country, which they abandoned. Waving then the right of conqueſt and the various precedents which might be quoted in ſimilar inſtances, a bare recollection of the facts is ſufficient to

manifeſt

manifeſt the obligation they are under to make atonement for the enormities which they have perpetrated, and a reaſonable compenſation for the expences which the United States have incurred by their wanton barbarity; and they poſſeſs no other means to do this act of juſtice than by a compliance with the propoſed boundaries. The committee are of opinion that in the negotiation which they recommend, care ought to be taken neither to yield nor require too much; to accommodate the Indians as far as the public good will admit, and if they ſhould appear diſſatisfied at the lines which it may be found neceſſary to eſtabliſh, rather to give them ſome compenſation for the claims than to hazard a war, which will be much more expenſive; but it is ſuppoſed that when they ſhall be informed of the eſtimates of the damages which our citizens have ſuſtained by their irruptions, and of the expences which the United States have incurred to check their career, it will have a tendency to ſuppreſs any extravagant demands. Whereupon

Reſolved, That a convention be held with the Indians reſiding in the northern and middle departments, who have taken up arms againſt the United States, for the purpoſes of receiving them into the favour and protection of the United States, and of eſtabliſhing boundary lines of property for ſeparating and dividing the ſettlements of the citizens from the Indian villages, and hunting grounds, and thereby extinguiſhing as far as poſſible all occaſion for future animoſities, diſquiet and contention.

And whereas the trade with the Indians ought to be regulated, and ſecurity be given by the traders, for the punctual obſervance of ſuch regulations, ſo that violence, fraud and injuſtice towards the Indians, may be guarded againſt and prevented, and the honor of the federal government and the public tranquility thereby promoted.

Reſolved, That a committee be appointed with inſtructions to prepare and report an ordinance for regulating the Indian trade, with a clauſe therein ſtrictly prohibiting all civil and military officers, particularly all commiſſioners and agents for Indian affairs, from trading with the Indians or purchaſing or being directly or indirectly concerned in purchaſing lands from Indians, except only by

the expreſs licence and authority of the United States in Congreſs aſſembled.

Reſolved, That the preceding meaſures of Congreſs relative to Indian affairs, ſhall not be conſtrued to affect the territorial claims of any of the ſtates, or their legiſlative rights within their reſpective limits.

The committee in their report obſerve further, that they do not offer the meaſures which they have ſuggeſted as a ſufficient ſecurity againſt the increaſe of feeble, diſorderly and diſperſed ſettlements in thoſe remote and wide extended territories; againſt the depravity of manners which they have a tendency to produce; the endleſs perplexities in which they muſt involve the adminiſtration of the affairs of the United States, or againſt the calamities of frequent and deſtructive wars with the Indians; which reciprocal animoſities unreſtrained by the interpoſition of legal authority muſt naturally excite; and that in their opinion nothing can avert thoſe complicated and impending miſchiefs, or ſecure to the United States the juſt and important advantages which they ought to derive from thoſe territories, but the ſpeedy eſtabliſhment of government and the regular adminiſtration of juſtice in ſuch diſtrict thereof as ſhall be judged moſt convenient for immediate ſettlement and cultivation: whereupon

Reſolved, That it will be wiſe and neceſſary as ſoon as circumſtances ſhall permit, to erect a diſtrict of the weſtern territory into a diſtinct government, as well for doing juſtice to the army of the United States, who are entitled to lands as a bounty, or in reward of their ſervices, as for the accommodation of ſuch as may incline to become purchaſers and inhabitants; and in the interim, that a committee be appointed to report a plan conſiſtent with the principles of the confederation, for connecting with the union by a temporary government, the purchaſers and inhabitants of the ſaid diſtrict until their number and circumſtances ſhall entitle them to form a permanent conſtitution for themſelves, and as citizens of a free ſovereign, and independent ſtate, to be admitted to a repreſentation in the union; provided always, that ſuch conſtitution ſhall not be incompatible with the republican

publican principles, which are the baſis of the conſtitutions of the reſpective ſtates in the union.

Ordered, That the remainder of the report be referred to the ſaid committee.

THURSDAY, OCTOBER 16, 1783.

On motion of Mr. M'Henry, ſeconded by Mr. Madiſon,

Ordered, That the agent of marine provide major general Du Portail, brigadier general Laumoy and colonel Gouvion, with a paſſage to France in the ſhip Waſhington; and that they be informed of the ſame.

Reſolved, That Wedneſday next be aſſigned for electing commiſſioners for negotiating a treaty with the Indians.

FRIDAY, OCTOBER 17, 1783.

On the report of the ſecretary at war, to whom were referred a letter of 20th Auguſt from major general Knox, and petition of captain Poſt's company of artillery artificers,

Reſolved, That the paymaſter general be directed to ſettle the pay of thoſe officers and ſoldiers who ſerved in captain Poſt's company of artillery artificers, due attention being had in the ſettlement, to the real value of their nominal pay at the time they engaged in this ſervice, and that a certificate of the balance due to each officer and ſoldier, be given them by the paymaſter general in the ſame manner as to the officers and ſoldiers in the line of the army.

On the report of a committee conſiſting of Mr. Clarke, Mr. Peters and Mr. S. Huntington, to whom was referred a memorial of John Hall,

Reſolved, That in ſettling the accounts particularly referred to in the act of Congreſs of the 27th of February laſt, depreciation of pay be allowed to all thoſe in the military ſtores department, who were engaged for three years or during the war, and in actual ſervice on or after the 19th of April, 1780, due attention being had in the ſettlemen[illegible]

tlement to the real value of their nominal pay at the the time they engaged in the ſervice.

On the report of a committee conſiſting of Mr. Clarke, Mr. Gerry and Mr. Hawkins, to whom was referred a memorial of Cornelius Durant,

Ordered, That the petition of Cornelius Durant, claiming pay for a quantity of flour and ſhip ſtuff, his property, ſeized in the ſtate of Maryland, in the year 1779, be referred to the ſuperintendant of finance, who is directed to take order for inveſtigating the claim of Mr. Durant, and upon the facts ſet forth in his petition being ſupported, to cauſe a ſettlement to be made thereof, and the ſum which may be found due including intereſt from the time of ſeizure, to be placed on intereſt in common with other debts due from the United States.

A motion was made by Mr. Gerry, ſeconded by Mr. Lee, in the words following.

Whereas the reſolutions of Congreſs of the 7th inſtant, to erect buildings for their uſe at or near the falls of the Delaware, are not ſatisfactory to a reſpectable part of the United States, five of which on the 8th inſtant voted for a reconſideration of the ſaid reſolutions: And whereas Congreſs have no proſpect of a general aſſent to any one place for their reſidence, and there is every reaſon to expect that the providing buildings for the alternate reſidence of Congreſs in two places, will be productive of the moſt ſalutary effects, by ſecuring the mutual confidence and affections of the ſtates, and preſerving the federal balance of power: It is therefore, *Reſolved*, That buildings be likewiſe erected for the uſe of Congreſs, at or near the lower falls of Potomack or George-town; provided a ſuitable diſtrict on the banks of the river can be procured for a federal town, and the right of ſoil and an excluſive juriſdiction, or ſuch other as Congreſs may direct, ſhall be veſted in the United States. Whereupon

A motion was made by Mr. Clarke, ſeconded by Mr. Peters as follows,

Whereas the motion now before the houſe, made by the honorable mover from Maſſachuſetts, appears to involve in it important conſequences to the union, as to require a ſpecial and deliberate inveſtigation, unconnected with

with any other ſubject, and ought not to be determined upon a motion immediately taken up, without previous notice thereof given to the ſtates, as was the caſe in fixing a ſingle federal town: therefore, *Reſolved*, That the ſaid motion be poſtponed to the firſt Monday in April next, and copies thereof tranſmitted to the executives of the ſeveral ſtates.

And on the queſtion to agree to this, the yeas and nays being required by Mr. Boudinot.

New-Hampſhire,	Mr. Foſter	no	*
Maſſachuſetts,	Mr. Gerry	no	no
	Mr. Holten	no	
	Mr. Oſgood	no	
Rhode Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr Clarke	ay	
	Mr. Condict	ay	
Pennſylvania,	Mr. Montgomery	ay	ay
	Mr peters	ay	
Delaware,	Mr. Tilton	ay	*
Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Madiſon	no	no
	Mr. Lee	no	
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Izard	no	no
	Mr. Beresford	no	

So the queſtion was loſt.

On motion of Mr. Peters, ſeconded by Mr. Condict, *Reſolved*, That the conſideration of the main queſtion be poſtponed till Wedneſday next.

SATURDAY,

SATURDAY, OCTOBER 18, 1783.

The committee conſiſting of Mr. Duane, Mr. S. Huntington and Mr. Holten, appointed to prepare a proclamation for a day of thankſgiving, reported a draft, which was agreed to as follows.

By the UNITED STATES in CONGRESS aſſembled,

A PROCLAMATION.

WHEREAS it hath pleaſed the Supreme Ruler of all human events, to diſpoſe the hearts of the late belligerent powers to put a period to the effuſion of human blood, by proclaiming a ceſſation of all hoſtilities by ſea and land, and theſe United States are not only happily reſcued from the dangers and calamities to which they have been ſo long expoſed, but their freedom, ſovereignty and independence ultimately acknowledged. And whereas in the progreſs of a conteſt on which the moſt eſſential rights of human nature depended, the interpoſition of divine Providence in our favor hath been moſt abundantly and moſt graciouſly manifeſted, and the citizens of theſe United States have every reaſon for praiſe and gratitude to the God of their ſalvation. Impreſſed therefore with an exalted ſenſe of the bleſſings by which we are ſurrounded, and of our entire dependence on that Almighty Being from whoſe goodneſs and bounty they are derived, the United States in Congreſs aſſembled do recommend it to the ſeveral ſtates, to ſet apart the ſecond THURSDAY in December next as a day of public thankſgiving, that all the people may then aſſemble to celebrate with grateful hearts and united voices, the praiſes of their Supreme and all-bountiful Benefactor, for his numberleſs favors and mercies. That he hath been pleaſed to conduct us in ſafety through all the perils and viciſſitudes of the war; that he hath given us unanimity and reſolution to adhere to our juſt rights; that he hath raiſed up a powerful ally to aſſiſt us in ſupporting them, and hath ſo far crowned our united efforts with ſucceſs, that

in

the courſe of the preſent year, hoſtilities have ceaſed, and we are left in the undiſputed poſſeſſion of our liberty and independence, and of the fruits of our land, and in the free participation of the treaſures of the ſea; that he hath proſpered the labour of our huſbandmen with plentiful harveſts; and above all, that he hath been pleaſed to continue to us the light of the bleſſed goſpel, and ſecured to us in the fulleſt extent the rights of conſcience in faith and worſhip. And while our hearts overflow with gratitude, and our lips ſet forth the praiſes of our great Creator, that we alſo offer up fervent ſupplications, that it may pleaſe him to pardon all our offences, to give wiſdom and unanimity to our public councils, to cement all our citizens in the bonds of affection, and to inſpire them with an earneſt regard for the national honor and intereſt, to enable them to improve the days of proſperity by every good work, and to be lovers of peace and tranquility; that he may be pleaſed to bleſs us in our huſbandry, our commerce and navigation; to ſmile upon our ſeminaries and means of education, to cauſe pure religion and virtue to flouriſh, to give peace to all nations, and to fill the world with his glory.

DONE by the United States in Congreſs aſſembled, witneſs his excellency ELIAS BOUDINOT our preſident, this eighteenth day of October, in the year of our Lord, one thouſand ſeven hundred and eighty three, and of the ſovereignty and independence of the United States of America the eighth.

On the report of a committee conſiſting of Mr. Bland, Mr B. Huntington and Mr. Howell, to whom was referred a memorial from major Jackſon.

Reſolved, That the ſum actually expended by Mr. Jackſon, for defraying the neceſſary expences of his journies to and from Paris and Amſterdam, on buſineſs committed to his charge by the honorable John Laurens, ſpecial miniſter to the court of France, and charged to the ſaid Jackſon, be paſſed to his credit.

Reſolved, That fourteen hundred and fifty five dollars, be allowed to Mr. Jackſon, as a full compenſation for his ſervices

ſervices while acting as ſecretary to the honorable John Laurens, on his miſſion to the court of France, his pay and emoluments in the army to ceaſe during that period.

On the report of a committee conſiſting of Mr. Ellery, Mr. Madiſon and Mr. Duane, to whom was referred a letter of the 7th from major general Greene.

Reſolved, That two pieces of the field ordinance taken from the Britiſh army at the Cowpens, Auguſta, or Eutaw, be preſented by the commander in chief of the armies of the United States, to major general Greene, as a public teſtimonial of the wiſdom, fortitude and military ſkill which diſtinguiſhed his command in the ſouthern department, and of the eminent ſervices which amidſt complicated difficulties and dangers, and againſt an enemy greatly ſuperior in numbers, he has ſucceſsfully performed for his country: And that a memorandum be engraved on the ſaid pieces of ordinance, expreſſive of the ſubſtance of this reſolution.

Reſolved, That the commander in chief be informed that major general Greene hath the permiſſion of Congreſs to viſit his family at Rhode-Iſland.

A motion was made by Mr. M'Henry, ſeconded by Mr. Mercer, to reconſider the reſolution, "That the conſideration of the motion made by Mr. Gerry, be poſtponed till Wedneſday;" and when the queſtion was about to be put, the determination thereof was poſtponed by the ſtate of New-Jerſey.

On the report of a committee conſiſting of Mr. S. Huntington, Mr. Gerry and Mr. Duane, to whom was referred a letter of the 19th September from the commander in chief, Congreſs paſſed the following proclamation.

By the UNITED STATES in CONGRESS aſſembled.

A PROCLAMATION.

WHEREAS in the progreſs of an arduous and difficult war, the armies of the United States of America, have eminently diſplayed every military and patriotic virtue, and are not leſs to be applauded for their fortitude

tude and magnanimity in the moſt trying ſcenes of diſtreſs, than for a ſeries of heroic and illuſtrious achievements, which exalt them to a high rank among the moſt zealous and ſucceſsful defenders of the rights and liberties of mankind. And whereas by the bleſſing of divine Providence on our cauſe and our arms, the glorious period is arrived when our national independence and ſovereignty are eſtabliſhed, and we enjoy the proſpect of a permanent and honorable peace: We therefore the United States in Congreſs aſſembled, thus impreſſed with a lively ſenſe of the diſtinguiſhed merit and good conduct of the ſaid armies, do give them the thanks of their country, for their long, eminent and faithful ſervices. And it is our will and pleaſure, that ſuch part of the federal armies as ſtands engaged to ſerve during the war, and as by our acts of the twenty-ſixth day of May, the eleventh day of June, the ninth day of Auguſt, and the twenty-ſixth day of September laſt were furloughed, ſhall from and after the third day of November next, be abſolutely diſcharged by virtue of this our proclamation, from the ſaid ſervice: And we do alſo declare, that the further ſervices in the field, of the officers who are deranged and on furlough, in conſequence of our aforeſaid acts, can now be diſpenſed with; and they have our full permiſſion to retire from ſervice, without being longer liable from their preſent engagements, to be called into command. And of ſuch diſcharge and permiſſion to retire from ſervice reſpectively, all our officers, civil and military, and all others whom it may concern, are required to take notice, and to govern themſelves accordingly.

GIVEN under the ſeal of the United States in Congreſs aſſembled, witneſs his excellency ELIAS BOUDINOT, our preſident in Congreſs, this eighteenth day of October, in the year of our Lord, one thouſand ſeven hundred and eighty-three, and of the ſovereignty and independence of the United States of America the eighth.

MONDAY, OCTOBER 20, 1783.

On the queſtion to reconſider the reſolution poſtponing

the conſideration of Mr. Gerry's motion to Wedneſday next, the yeas and nays being required by Mr. Boudinot.

New-Hampſhire,	Mr. Foſter	no	*
Maſſachuſetts,	Mr. Gerry	ay	ay
	Mr. Holten	ay	
	Mr. Oſgood	ay	
Rhode-Iſland,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	*
Pennſylvania,	Mr. Montgomery	no	*
Delaware,	Mr. Tilton	no	*
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Lee	ay	ay
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Izard	ay	ay
	Mr. Beresford	ay	

So it was reſolved in the affirmative.

On the motion, That the conſideration of Mr. Gerry's motion be poſtponed to Wedneſday next, the yeas and nays being required by Mr. Boudinot.

Maſſachuſetts,	Mr. Gerry	no	no
	Mr. Holten	no	
	Mr. Oſgood	no	
Rhode-Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	no	divided
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New Jerſey,	Mr Boudinot	ay	*
Pennſylvania,	Mr. Montgomery	ay	*
Delaware,	Mr. Tilton	ay	*

Maryland,

Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Lee	no	no
	Mr Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Izard	no	no
	Mr. Beresford	no	

So the queſtion was loſt.

The motion of Mr. Gerry was then taken up, and being read in the words following.

Whereas the reſolutions of Congreſs of the 7th inſtant, to erect buildings for their uſe at or near the falls of the Delaware, are not ſatisfactory to a reſpectable part of the United States, five of which on the 8th inſtant voted for a reconſideration of the ſaid reſolutions: And whereas Congreſs have no proſpect of a general aſſent to any one place for their reſidence, and there is every reaſon to expect that the providing buildings for the alternate reſidence of Congreſs in two places, will be productive of the moſt ſalutary effects, by ſecuring the mutual confidence and affections of the ſtates, and preſerving the federal balance of power: It is therefore, *Reſolved*, That buildings be likewiſe erected for the uſe of Congreſs, at or near the lower falls of Potomack or George-town; provided a ſuitable diſtrict on the banks of the river can be procured for a federal town, and the right of ſoil and an excluſive juriſdiction, or ſuch other as Congreſs may direct, ſhall be veſted in the United States.

A motion was made by Mr. Gerry, ſeconded by Mr. Mercer, to amend it by adding thereto.

"And that until the buildings to be erected on the banks of the Delaware and Potomack ſhall be prepared for the reception of Congreſs, their reſidence ſhall be alternately at equal periods of not more than one year, and not leſs than ſix months in Trenton and Annapolis; and the preſident is hereby authorized and directed to adjourn Congreſs on the 10th day of November next, to meet at Annapolis on the 25th day of the ſame month, for the diſpatch of public buſineſs."

A motion

A motion was made by Mr. Ellery, seconded by Mr. Montgomery, to strike out the words "one year, nor less than:" And on the question Shall those words stand? the yeas and nays being required by Mr. Ellery,

Massachusetts,	Mr. Gerry	no	no
	Mr. Holten	no	
	Mr. Osgood	ay	
Rhode-Island,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jersey,	Mr. Boudinot	no	*
Pennsylvania,	Mr. Montgomery	no	*
Delaware,	Mr. Tilton	no	*
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Lee	ay	ay
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamson	ay	
South-Carolina,	Mr. Izard	ay	ay
	Mr. Beresford	ay	

So the question was lost, and the words were struck out.

On motion, the words "not more than six months," were also struck out.

A motion was then made by Mr. Duane, seconded by Mr. L'Hommedieu, to strike out the words "and Potomack," "alternately at equal periods," "and Annapolis," "at Annapolis:" And on the question, Shall those words stand? the yeas and nays being required by Mr. Duane,

Massachusetts,	Mr. Gerry	ay	ay
	Mr. Holten	ay	
	Mr. Osgood	ay	
Rhode-Island,	Mr. Ellery	ay	ay
	Mr. Howell	ay	

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Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New Jerſey,	Mr. Boudinot	no	†
Pennſylvania,	Mr. Montgomery	no	†
Delaware,	Mr. Tilton	ay	†
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Lee	ay	ay
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina	Mr. Izard	ay	ay
	Mr. Beresford	ay	

So it was reſolved in the affirmative.

On the queſtion to agree to the amendment as amended, the yeas and nays being required by Mr. Mercer.

Maſſachuſetts,	Mr. Gerry	ay	ay
	Mr. Holten	ay	
	Mr. Oſgood	ay	
Rhode-Iſland,	Mr. Ellery	no	divided
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	*
Pennſylvania,	Mr. Montgomery	no	*
Delaware,	Mr. Tilton	no	*
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Lee	ay	ay
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Izard	ay	ay
	Mr. Beresford	ay	

So the queſtion was loſt.

TUESDAY,

TUESDAY OCTOBER 21, 1783.

On motion of Mr. Lee, ſeconded by Mr. Carroll, the motion of Mr. Gerry, which was under debate yeſterday, was taken into conſideration.

And a motion was made by Mr. Ellery, ſeconded by Mr. Gerry, to amend it by adding thereto,

And that until the buildings to be erected on the banks of the Delaware and Potomack ſhall be prepared for the reception of Congreſs, their reſidence ſhall be alternately at equal periods of not more than one year, and not leſs than ſix months in Trenton and Annapolis; and the preſident is hereby authorized and directed to adjourn Congreſs on the twelfth day of November next, to meet at Annapolis on the twenty ſixth of the ſame month, for the diſpatch of public buſineſs.

And on the queſtion to agree to this amendment, the yeas and nays being required by Mr. Montgomery.

New-Hampſhire,	Mr. Foſter	*no*	†
Maſſachuſetts,	Mr. Gerry	*ay*	*ay*
	Mr. Holten	*ay*	
	Mr. Oſgood	*ay*	
Rhode-Iſland,	Mr. Ellery	*ay*	*ay*
	Mr. Howell	*ay*	
Connecticut,	Mr. S. Huntington	*ay*	*ay*
	Mr. B. Huntington	*ay*	
New-York,	Mr. Duane	*no*	*no*
	Mr. L'Hommedieu	*no*	
New-Jerſey,	Mr. Boudinot	*no*	‡
Pennſylvania,	Mr. Montgomery	*no*	‡
Delaware,	Mr. Tilton	*no*	‡
Maryland,	Mr. Carroll	*ay*	*ay*
	Mr. M'Henry	*ay*	
Virginia,	Mr. Lee	*ay*	*ay*
	Mr. Mercer	*ay*	
North-Carolina,	Mr. Hawkins	*ay*	*ay*
	Mr. Williamſon	*ay*	
South-Carolina,	Mr. Izard	*ay*	*ay*
	Mr. Beresford	*ay*	

So it was reſolved in the affirmative.

A diviſion

A diviſion was then called for; and on the queſtion, That buildings be likewiſe erected for the uſe of Congreſs at or near the lower falls of Potomack or Georgetown; provided a ſuitable diſtrict on the banks of the river can be procured for a federal town, and the right of ſoil, and an excluſive juriſdiction, or ſuch other as Congreſs may direct, ſhall be veſted in the United States.

The yeas and nays being required by Mr. Beresford.

New-Hampſhire,	Mr. Foſter	no	*
Maſſachuſetts,	Mr. Gerry	ay	ay
	Mr. Holten	ay	
	Mr. Oſgood	ay	
Rhode-Iſland,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York.	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	‡
Pennſylvania,	Mr. Montgomery	no	‡
Delaware,	Mr. Tilton	no	‡
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Lee	ay	ay
	Mr. Mercer	ay	
North Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Izard	ay	ay
	Mr. Beresford	ay	

So it was reſolved in the affirmative!

And on the queſtion to agree to the ſecond part, viz, "and that until the buildings to be erected, &c." to the end, the yeas and nays being required by Mr. Beresford.

New-Hampſhire,	Mr. Foſter	no	*
Maſſachuſetts,	Mr. Gerry	ay	ay
	Mr. Holten	ay	
	Mr. Oſgood	ay	

Rhode-

Rhode Iſland,	Mr. Ellery	*ay*	*ay*
	Mr. Howell	*ay*	
Connecticut,	Mr. S. Huntington	*ay*	*ay*
	Mr. B. Huntington	*ay*	
New-York,	Mr. Duane	*no*	*no*
	Mr. L'Hommedieu	*no*	
New-Jerſey,	Mr. Boudinot	*no*	*
Pennſylvania,	Mr. Montgomery	*no*	*
Delaware,	Mr. Tilton	*no*	*
Maryland,	Mr. Carroll	*ay*	*ay*
	Mr. M'Henry	*ay*	
Virginia,	Mr. Lee	*ay*	*ay*
	Mr. Mercer	*ay*	
North-Carolina,	Mr. Hawkins	*ay*	*ay*
	Mr. Williamſon	*ay*	
South-Carolina,	Mr. Izard	*ay*	*ay*
	Mr. Beresford	*ay*	

So it was reſolved in the affirmative.

The preamble being then taken into conſideration, and the ſame being amended, the whole was agreed to as follows.

Whereas there is reaſon to expect that the providing buildings for the alternate reſidence of Congreſs in two places, will be productive of the moſt ſalutary effects, by ſecuring the mutual confidence and affections of the ſtates,

Reſolved, That buildings be likewiſe erected for the uſe of Congreſs, at or near the lower falls of Potomack or George-town; provided a ſuitable diſtrict on the banks of the river can be procured for a federal town, and the right of ſoil, and an excluſive juriſdiction, or ſuch other as Congreſs may direct, ſhall be veſted in the United States: and that until the buildings to be erected on the banks of the Delaware and Potomack ſhall be prepared for the reception of Congreſs, their reſidence ſhall be alternately at equal periods of not more than one year, and not leſs than ſix months in Trenton and Annapolis; and the preſident is hereby authorized and directed to adjourn Congreſs on the twelfth day of November next, to meet at Annapolis on the twenty ſixth day of the ſame month, for the diſpatch of public buſineſs.

WEDNESDAY,

WEDNESDAY, OCTOBER 22, 1783.

In purſuance to the orders of the 18th and 19th of Auguſt, the ſuperintendant of finance tranſmitted to Congreſs,

1. An eſtimate of the foreign and domeſtic debt of the United States.

2. A computation of intereſt arrearages on the national debt to the 1ſt January, 1783, and intereſt for one year, on a ſuppoſition of the ſame becoming due in 1784.

3. Accounts of the emiſſions of bills of exchange, drawn by direction of Congreſs for the payment of intereſt; and an account of the annual intereſt that was payable in Europe on loan-office certificates.

4. A ſtatement of Mr. Grand's laſt account current, on the principles of the former arrangement of his account, dated 19th Auguſt, 1782.

On the report of a committee conſiſting of Mr. Duane, Mr. Ellery and Mr. S. Huntington, to whom was referred a motion for tranſmitting copies of the preliminary articles of peace to the reſpective ſtates,

Reſolved, That an exemplification of the proviſional articles for reſtoring peace between the United States of America and Great Britain, and of the act of ratification thereof by the United States, be tranſmitted to each of the reſpective ſtates.

The committee conſiſting of Mr. Duane, Mr. Carroll and Mr. Peters, to whom was referred a motion of Mr. Peters, together with an application of the legiſlature of Pennſylvania, relative to the purchaſe of the Indian claim of land within the juriſdiction of that ſtate—report,

That it appears to them, that the application of the legiſlature of Pennſylvania, relative to a treaty for the purchaſe of the Indian claim to lands within the juriſdiction of that ſtate, proceeded from a reſpectful attachment to the federal government, and a deſire to guard againſt prejudices which might ariſe from the interference of their own particular views with the authority of the United States: That the public intereſt might have been deeply affected by a negociation for ſuch purchaſe independent of, and unconnected with the general treaty to

be holden on behalf of the United States. For in the opinion of the committee, the idea of a diviſion of councils, of ſeparate intereſts, and a competition in purchaſe which two diſtinct treaties muſt have impreſſed on the minds of the Indians, could not but have had a tendency to diminiſh the dignity and authority of our government in their eſtimation, and expoſe both the United States and the individual ſtate to unreaſonable and extravagant impoſitions, and our public councils to great embarraſſments. The committee therefore think it proper that it ſhould be reſolved,

That the commiſſioners for holding the convention with the Indians under the act of the fifteenth day of October inſtant, give notice to the ſupreme executive of the ſtate of Pennſylvania, of the time and place of holding ſuch treaty, to the end that the perſons to be appointed by that ſtate, for purchaſing lands within the limits thereof, at the expence of the ſaid ſtate, may attend at the time and place appointed for holding the ſaid treaty: and the commiſſioners on the part of the United States, are inſtructed to give every aid in their power, to the commiſſioners on the part of Pennſylvania, in ſuch manner as will beſt promote the object which the ſaid ſtate ſhall have in view, and not be incompatible with the national intereſts which the United States propoſe by the ſaid treaty.

A motion was made by Mr. Gerry, ſeconded by Mr. Howell, to ſtrike out the words "and not be," before incompatible, and in lieu thereof to inſert, "provided nothing ſhall be done by virtue of this reſolve."

And on the queſtion to agree to this amendment, the yeas and nays being required by Mr. Gerry.

New-Hampſhire,	Mr. Foſter	*ay*	†
Maſſachuſetts,	Mr. Gerry	*ay*	*ay*
	Mr. Holten	*ay*	
	Mr. Oſgood	*ay*	
Rhode-Iſland,	Mr. Ellery	*ay*	*ay*
	Mr. Howell	*ay*	
Connecticut,	Mr. S. Huntington	*no*	*no*
	Mr. B. Huntington	*no*	

New-

New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	‡
Pennſylvania,	Mr. Fitzſimmons	no	no
	Mr. Wilſon	no	
	Mr. Montgomery	no	
	Mr. Peters	no	
Delaware,	Mr. Tilton	no	‡
Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Madiſon	no	no
	Mr. Lee	no	
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	no	‡

So the queſtion was loſt.

On the queſtion to agree to the report of the committee, the yeas and nays being required by Mr. Montgomery.

New Hampſhire,	Mr. Foſter	ay	*
Maſſachuſetts,	Mr. Gerry	no	no
	Mr Holten	no	
	Mr. Oſgood	no	
Rhode-Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York.	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	‡
Pennſylvania,	Mr. Fitzſimmons	ay	ay
	Mr. Wilſon	ay	
	Mr. Montgomery	ay	
	Mr. Peters	ay	
Delaware,	Mr. Tilton	ay	‡
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Madiſon	ay	ay
	Mr Bland	no	
	Mr. Lee	ay	
	Mr Mercer	ay	
North Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	

So the queſtion was loſt.

THURSDAY,

THURSDAY, OCTOBER 23, 1783.

The order of the day being called for, to take into conſideration the report of a committee on a military peace arrangement,

Ordered, That the ſame be referred to a committee of the whole.

Congreſs was then reſolved into a committee of the whole.

Mr. Carroll was elected to the chair.

The preſident reſumed the chair, and Mr. Carroll reported that the committee have taken into conſideration the ſubject referred to them, and had come to a reſolution thereon, which he was ordered to report. The ſame being received and read, Mr. Carroll farther reported, that the committee not having come to a concluſion, deſire leave to ſit again.

Ordered, That the committee ſit to morrow.

FRIDAY, OCTOBER 24, 1783.

According to the order of the day, Congreſs was reſolved into a committee of the whole, after ſome time the preſident reſumed the chair, and Mr. Carroll reported that the committee had taken into conſideration the ſubject referred to them, but not having come to a concluſion, deſire leave to ſit again.

Ordered, That the committee of the whole ſit to morrow.

SATURDAY, OCTOBER 25, 1783.

The preſident having this day laid before Congreſs a letter from the honorable P. J. Van Berckel, incloſing a copy of a letter of credence, by which it appears, that he is appointed miniſter plenipotentiary from their high mightineſſes the ſtates general of the United Netherlands, to the United States of America; and the ſaid miniſter having requeſted to be informed when and where Congreſs will admit him to an audience.

Reſolved, That the ſaid honorable P. J. Van Berckel, be received as miniſter plenipotentiary from their high mightineſſes

mightineſſes the ſtates general of the United Netherlands; and that agreeably to his requeſt, he be admitted to a public audience in Congreſs.

That the Congreſs room in Princeton, on Thurſday next at noon, be appointed as the time and place for ſuch audience.

That the ſuperintendant of finance and ſecretary at war, or either of them, perform on this occaſion, the duties aſſigned to the ſecretary for foreign affairs, in the ceremonial reſpecting foreign miniſters; and that they inform the ſupreme executives of New-Jerſey and Pennſylvania, his excellency the commander in chief, the honorable the miniſter plenipotentiary of France, and ſuch civil and military gentlemen as are in or near Princeton, of the public audience to be given to the honorable, the miniſter plenipotentiary of their high mightineſſes the ſtates general of the United Netherlands.

Ordered, That the ſuperintendant of finance and ſecretary at war, or either of them, take order for an entertainment to be given at the public expence, to the honorable P. J. Van Berckel, miniſter plenipotentiary from their high mightineſſes the ſtates general of the United Netherlands, to the United States of America, on Thurſday next, the day aſſigned for the public audience of the ſaid miniſter.

MONDAY, OCTOBER 27, 1783.

Only three ſtates attended; namely, Maſſachuſetts, New-York and Pennſylvania; and from Rhode-Iſland Mr. Ellery, from New-Jerſey Mr. Clarke, from Maryland Mr. Carroll, and from North-Carolina Mr. Williamſon.

TUESDAY OCTOBER 28, 1783.

Only ſix ſtates attended; namely, Maſſachuſetts, Rhode-Iſland, New-York, New-Jerſey, Pennſylvania and Maryland; and from the ſtate of Connecticut Mr. B Huntington, from the ſtate of Delaware Mr. Tilton, and from North-Carolina Mr. Williamſon.

WEDNESDAY,

WEDNESDAY, OCTOBER 29, 1783.

On the report of a committee conſiſting of Mr. Williamſon, Mr. Lee and Mr. Clarke, to whom was referred a memorial from General Armand,

Reſolved, That though Congreſs are deſirous to accommodate all the officers and ſoldiers who are entitled to land, in ſuch manner as may be moſt convenient and acceptable to the army, they cannot at preſent make any appropriations, much leſs can they aſſign certain diſtricts to any particular corps.

That the commander in chief be, and he is hereby directed to diſcharge all the troops in the ſervice of the United States, who are now in Pennſylvania or to the ſouthward thereof, except the garriſon of Fort-Pitt.

A letter of 26th from the honorable P. J. Van Berckel, was read: whereupon

Reſolved, That the audience to be given to the ſaid miniſter, be poſtponed till Friday next

On the report of a committee conſiſting of Mr. Duane, Mr. Lee and Mr. B. Huntington, to whom was referred a letter from major general Lincoln,

Reſolved, That the reſignation of major general Lincoln as ſecretary at war for the United States be accepted, in conſideration of the earneſt deſire which he expreſſes, (the objects of the war being ſo happily accompliſhed) to retire to private life. And that he be informed, that the United States in Congreſs aſſembled, entertain a high ſenſe of his perſeverance, fortitude, activity and meritorious ſervices in the field, as well as of his diligence, fidelity and capacity in the execution of the office of ſecretary at war, which important truſts he has diſcharged to their entire approbation.

Reſolved, That notwithſtanding the foregoing acceptance, it is the intention of Congreſs, that general Lincoln ſhall continue to exerciſe the duties of ſecretary at war, until the 12th day of November next.

THURSDAY, OCTOBER 30, 1783.

On the report of a committee conſiſting of Mr. Clarke, Mr.

Mr. Bland and Mr. M'Henry, to whom was referred a letter of 26th September laſt, from R. Varick,

Reſolved, That it be recommended to the executive of the ſtate of New-York, to ſettle with and pay lieutenant colonel Richard Varick, by allowing him what his arrears of pay, and years advance as deputy muſtermaſter general was worth in ſpecie at the time they reſpectively became due, and charge the ſame to the United States.

On motion of Mr. Oſgood, ſeconded by Mr. Holten,

Reſolved, by nine ſtates, That general Knox be allowed the pay of a major general in a ſeparate department, during his command at Weſt-Point; his additional pay granted by the reſolution of the 12th of January, 1781, to ceaſe during the time he received the aforegoing allowance.

That the ſuperintendant of finance take order for paying to major general Knox, the arrears of ſuch ſubſiſtence as majors general in a ſeparate department have heretofore received.

On a report of the ſecretary at war,

Reſolved, That the commiſſioner for ſettling the accounts of the quartermaſter's department be, and he is hereby directed to ſettle the accounts of general Bailey which he has againſt the United States, for money advanced, ſupplies given, and ſervices rendered by him.

On the report of a committee conſiſting of Mr. Beresford, Mr. Williamſon and Mr. Mercer, to whom was referred a letter from G. Bond, deputy ſecretary of Congreſs,

Reſolved, by nine ſtates, That the ſuperintendant of finance take order for the payment of five hundred dollars to G. Bond, deputy ſecretary of Congreſs, on account of his extra ſervices.

On motion of Mr. Read, ſeconded by Mr. Condict,

Reſolved, That the queſtion on the report of the committee on a motion of Mr. Peters, and an application of the legiſlature of Pennſylvania, relative to the purchaſe of the Indian claim of land within the juriſdiction of that ſtate, which was loſt on the twenty-ſecond, be reconſidered.

The report being taken up and read,

A motion

A motion was made by Mr. Ellery, ſeconded by Mr. Howell, to add to the reſolution, "provided that no treaty ſhall be entered into with the Indians by the commiſſioners appointed by the ſtate of Pennſylvania, until the commiſſioners appointed by theſe United States for negotiating a treaty with the Indians ſhall have completed the ſame."

And on the queſtion to agree to this, the yeas and nays being required by Mr. Duane.

New-Hampſhire,	Mr. Foſter	ay	*
Maſſachuſetts,	Mr. Holten	ay	ay
	Mr. Oſgood	ay	
Rhode-Iſland,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	no
	Mr. Condict	no	
Pennſylvania,	Mr. Montgomery	no	no
	Mr. Peters	no	
Maryland,	Mr. Carroll	no	no
	Mr. M'Henry	no	
Virginia,	Mr. Lee	ay	divided
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamſon	no	
South-Carolina,	Mr. Read	no	*

So it paſſed in the negative.

A motion was then made by Mr. Howell, ſeconded by Mr. Ellery, to add by way of amendment,

"Nor with the excluſive right of Congreſs to negotiate treaties, regulate trade, and manage all affairs with the Indians not members of any particular ſtate,': And on the queſtion to agree to this amendment, the yeas and nays being required by Mr. Howell.

New-Hampſhire,	Mr. Foſter	ay	*
Maſſachuſetts,	Mr. Holten	ay	ay
	Mr. Oſgood	ay	

Rhode-

Rhode Iſland,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	no	no
	Mr. B. Huntington	no	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	divided
	Mr. Condict	ay	
Pennſylvania,	Mr. Montgomery	no	no
	Mr Peters	no	
Maryland,	Mr Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Lee	ay	ay
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South Carolina,	Mr. Read	no	*

So the queſtion was loſt.

On motion of Mr. Huntington, ſeconded by Mr. Howell,

Reſolved, That the reſolution reported by the committee be amended by adding, "for the ſole purpoſe of making ſuch purchaſe," after the word attend.

On motion of Mr. Howell, ſeconded by Mr. Ellery, to ſtrike out the words, "and the commiſſioners on the part of the United States," &c. to the end: A queſtion was taken, Shall thoſe words ſtand? and the ſame being loſt, the words were ſtruck out.

A motion was then made by Mr. Williamſon ſeconded by Mr. Holten, to add in lieu of the words ſtruck out,

"And the commiſſioners on the part of the United States, are inſtructed to give every aſſiſtance in their power, to the commiſſioners who may be appointed on the part of Pennſylvania, towards promoting the intereſt of that ſtate, as far as the ſame may conſiſt with the general intereſt of the union."

And on the queſtion to agree to this, the yeas and nays being required by Mr. Williamſon.

New-Hampſhire,	Mr. Foſter	ay	*
Maſſachuſetts,	Mr. Holten	ay	ay
	Mr. Oſgood	ay	

Rhode Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr. Condict	ay	
Pennſylvania,	Mr. Montgomery	ay	ay
	Mr. Peters	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Lee	ay	ay
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Read	ay	divided
	Mr. Beresford	no	

So it was reſolved in the affirmative.

On the queſtion to agree to the reſolution as amended, the yeas and nays being required by Mr. Read,

New-Hampſhire,	Mr. Foſter	ay	*
Maſſachuſetts,	Mr. Holten	ay	divided
	Mr. Oſgood	no	
Rhode-Iſland,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New-Jerſey,	Mr. Boudinot	ay	ay
	Mr Condict	ay	
Pennſylvania,	Mr. Montgomery	ay	ay
	Mr. Peters	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Lee	ay	ay
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	

South

South Carolina,	Mr. Read	ay	divided
	Mr. Beresford	no	

So it was resolved in the affirmative.

The preamble being then taken into consideration, a motion was made by Mr. Osgood, seconded by Mr. Howell, to strike out the words, "for in the opinion of the committee, the idea of a division of councils," &c. to the end: And on the question, Shall those words stand? the yeas and nays being required by Mr. Howell.

New-Hampshire,	Mr. Foster	ay	*
Massachusetts,	Mr. Holten	no	no
	Mr. Osgood	no	
Rhode-Island,	Mr. Ellery	no	no
	Mr. Howell	no	
Connecticut,	Mr. S. Huntington	no	divided
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	
New Jersey,	Mr. Boudinot	ay	divided
	Mr. Condict	no	
Pennsylvania,	Mr. Montgomery	ay	ay
	Mr. Peters	ay	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Lee	no	no
	Mr. Mercer	no	
North-Carolina,	Mr. Hawkins	no	no
	Mr. Williamson	no	
South-Carolina	Mr. Read	ay	ay
	Mr. Beresford	ay	

So the question was lost, and the words were struck out.

The preamble was then agreed to as amended, and the whole is as follows.

Whereas it appears that the application of the legislature of Pennsylvania, relative to a treaty for the purchase of the Indian claim to lands within the jurisdiction of that state, proceeded from a respectful attachment to the federal government, and a desire to guard against

against prejudices which might arise from the interference of their own particular views with the authority of the United States: That the public interest might have been deeply affected by a negotiation for such purchase independent of, and unconnected with the general treaty to be holden on behalf of the United States.

Resolved, That the commissioners for holding the convention with the Indians under the act of the fifteenth day of October instant, give notice to the supreme executive of the state of Pennsylvania, of the time and place of holding such treaty, to the end that the persons to be appointed by that state, for purchasing lands within the limits thereof, at the expence of the said state, may attend for the sole purpose of making such purchase, at the time and place appointed for holding the said treaty: and the commissioners on the part of the United States, are instructed to give every assistance in their power, to the commissioners who may be appointed on the part of Pennsylvania, towards promoting the interest of that state, as far as the same may consist with the general interest of the union.

On a memorial from Robert Patton, messenger,

Resolved, That the sum of ten dollars per month be allowed to Robert Patton in addition to his salary, from the 21st day of June last, to the 12th of November next, for his extra services and expences.

A motion was made by Mr. Williamson, seconded by Mr. Lee,

That in case a president shall not be chosen on or before the 12th day of November next, the secretary adjourn Congress on that day, to meet at Annapolis on the 26th of the said month, according to the resolution of the 20th instant.

On the question to agree to this, the yeas and nays being required by Mr. Peters.

Massachusetts,	Mr Holten	ay	ay
	Mr. Osgood	ay	
Rhode-Island,	Mr. Ellery	ay	ay
	Mr. Howell	ay	

Connecticut,

Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York.	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jersey,	Mr. Boudinot	no	no
	Mr. Condict	no	
Pennsylvania,	Mr. Montgomery	no	no
	Mr. Peters	no	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Lee	ay	ay
	Mr Mercer	ay	
North Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamson	ay	
South-Carolina,	Mr. Read	ay	ay
	Mr. Beresford	ay	

So it was resolved in the affirmative.

A motion was made by Mr. Lee, seconded by Mr. Holten,

That a committee be appointed to repair to the lower falls of Potomack, to view the situation of the country in the vicinity of the same, and report a proper district for carrying into effect the resolution of the 21st of October.

Whereupon a motion was made by Mr. Howell, seconded by Mr. Carroll, to amend the foregoing motion by adding,

"And that the committee appointed on the 7th day of October instant, to report the most suitable place for erecting buildings for the accommodation of Congress near the falls of the Delaware, be directed to report as soon as may be."

On the question to agree to this amendment, the yeas and nays being required by Mr. Howell.

Massachusetts,	Mr. Holten	ay	ay
	Mr. Osgood	ay	
Rhode-Island,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	

New-

New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr. Boudinot	no	no
	Mr. Condict	no	
Pennſylvania,	Mr. Montgomery	no	no
	Mr. Peters	no	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Lee	ay	ay
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Read	ay	ay
	Mr. Beresford	ay	

So it was reſolved in the affirmative.

On the queſtion to agree to the motion of Mr. Lee, which was divided from the amendment, at the requeſt of a member, the yeas and nays being required by Mr. Peters.

Maſſachuſetts,	Mr. Holten	ay	ay
	Mr. Oſgood	ay	
Rhode-Iſland,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr. S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	no	no
	Mr. L'Hommedieu	no	
New-Jerſey,	Mr Boudinot	no	no
	Mr. Condict	no	
Pennſylvania,	Mr. Montgomery	no	no
	Mr. Peters,	no	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Lee	ay	ay
	Mr Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South-Carolina,	Mr. Read	ay	ay
	Mr. Beresford	ay	

So it was reſolved in the affirmative.

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The ſecond part was agreed to, and the whole is as follows.—

Reſolved, That a committee be appointed to repair to the lower falls of Potomack, to view the ſituation of the country in the vicinity of the ſame, and report a proper diſtrict for carrying into effect the reſolution of the 21ſt of October; and that the committee appointed on the 7th of October, to report the moſt ſuitable place for erecting buildings for the accommodation of Congreſs, near the falls of the Delaware, be directed to report as ſoon as may be.

The members Mr. Hawkins, Mr. Gerry, Mr. Carroll, Mr. Mercer and Mr. Williamſon.

A motion was then made by Mr. Howell, ſeconded by Mr. Mercer,

That the preſident tranſmit to the executives of New-Jerſey, Pennſylvania, Maryland and Virginia, copies of the acts of Congreſs of the 7th inſtant, reſpecting buildings to be erected for a federal town on the banks of the Delaware; and of the acts of the 21ſt inſtant, reſpecting buildings to be erected on the banks of Potomack for a ſecond federal town, and the adjournment of Congreſs to Annapolis; and that copies be alſo tranſmitted to the ſeveral other ſtates in the union.

A diviſion was called for, and a queſtion taken on the firſt clauſe, as far as "Delaware," incluſive. Paſſed in the affirmative.

On the queſtion to agree to the ſecond clauſe, from Delaware to the end, the yeas and nays being required by Mr. Peters.

Maſſachuſetts,	Mr. Holten	ay	ay
	Mr. Ofgood	ay	
Rhode Iſland,	Mr. Ellery	ay	ay
	Mr. Howell	ay	
Connecticut,	Mr S. Huntington	ay	ay
	Mr. B. Huntington	ay	
New-York,	Mr. Duane	ay	ay
	Mr. L'Hommedieu	ay	

New-Jerſey,

New-Jerſey,	Mr. Boudinot	ay	divided
	Mr. Condict	no	
Pennſylvania,	Mr. Montgomery	no	no
	Mr. Peters	no	
Maryland,	Mr. Carroll	ay	ay
	Mr. M'Henry	ay	
Virginia,	Mr. Lee	ay	ay
	Mr. Mercer	ay	
North-Carolina,	Mr. Hawkins	ay	ay
	Mr. Williamſon	ay	
South Carolina,	Mr. Read	ay	ay
	Mr. Beresford	ay	

So it was reſolved in the affirmative.

FRIDAY, OCTOBER 31, 1783.

Mr. George Bond, deputy ſecretary, having informed that the ſtate of his private affairs will not ſuffer him to continue longer in the ſervice of the public, and therefore tendered to Congreſs his reſignation of the appointment of deputy ſecretary.

Reſolved, That the reſignation of Mr. George Bond, deputy ſecretary of Congreſs, be accepted; and that he be informed, Congreſs approve the fidelity and aſſiduity with which he has diſcharged the duties of his appointment.

On motion of Mr. Mercer, ſeconded by Mr. Williamſon,

Reſolved, That the ſecretary be, and he is hereby empowered and inſtructed, to continue to employ Mr. John Dunlap, to print for Congreſs; and to inform him, that Congreſs expect he will keep his office at the place where they may reſide.

Nathan Jones, a clerk in the war office, having informed that he is under a neceſſity of quitting his office,

Reſolved, That the account of Nathan Jones, a clerk in the war office, for his ſalary, be made up to the firſt of January next, in conſideration of his faithful ſervices.

The committee conſiſting of Mr. Clarke, Mr. Holten and Mr. Hawkins, to whom was referred a memorial from Henry Remſen, junior, and Benjamin Bankſon, clerks in the ſecretary's office—report, That

That at a time when Congreſs are taking meaſures to reduce the national expences, it will be highly improper to augment ſalaries, yet conſidering the increaſed labor of the memorialiſts, occaſioned by the reduced number of clerks in the ſecretary's office, and the temporary ſuſpenſion of the department for foreign affairs, the committee are of opinion, that ſome allowance ought to be made them for ſuch extra ſervices: whereupon

Reſolved, by nine ſtates, That there be allowed to Henry Remſen, junior, and Benjamin Bankſon, the two clerks in the ſecretary's office, two hundred dollars each for their extra ſervices.

A contract between his moſt Chriſtian Majeſty and the United States of America, entered into on the 25th day of February, 1783, being laid before Congreſs,

Reſolved, That the ſame be ratified in the terms following.—

The UNITED STATES in CONGRESS aſſembled,

To ALL who ſhall ſee theſe preſents ſend greeting:

WHEREAS Benjamin Franklin, our miniſter plenipotentiary at the court of Verſailles, in purſuance of the powers in him veſted, did on the twenty-fifth day of February, in the year one thouſand ſeven hundred and eighty three, with Charles Gravier de Vergennes, &c. counſellor of the king in all his councils, commander of his orders, miniſter and ſecretary of ſtate, &c. veſted with full power of his moſt Chriſtian Majeſty for the purpoſe, enter into, conclude and ſign a contract between his moſt Chriſtian Majeſty and the United States of North-America, in the words following, viz.

(Here inſert the contract at large.)

NOW KNOW YE, That we the ſaid United States in Congreſs aſſembled, impreſſed with a lively ſenſe of the aſſiſtance and affection manifeſted by his moſt Chriſtian Majeſty in the above contract, have ratified and confirmed, and by theſe preſents do ratify and confirm the ſaid contract, and every article thereof; and we do hereby em-

power our minister plenipotentiary at the court of Versailles, to deliver this our ratification in exchange for the ratification of the said contract on the part of his most Christian Majesty. In testimony whereof, we have caused our seal to be hereunto affixed, witness his excellency ELIAS BOUDINOT, president, this thirty-first day of October, one thousand seven hundred and eighty-three, and of our sovereignty and independence the eighth.

On the report of a committee consisting of Mr. Duane, Mr. Gerry and Mr. Lee, to whom was referred a report of the secretary for foreign affairs, respecting an agent or consul at Madeira,

Resolved, That a commercial agent be appointed to assist the merchants and other citizens of these United States, trading to the Island of Madeira and Porto Santo.

The ballots being taken,

Mr. John Marsden Pintard was elected.

According to order, the honorable P. J. Van Berckel, minister plenipotentiary from their High Mightinesses the States General of the United Netherlands, was admitted to an audience:

And upon being introduced, he addressed Congress in a speech, of which the following is a translation.

Gentlemen of the Congress.

PREVIOUS to my laying before you the commission with which their High Mightinesses the States General of the United Netherlands have honored me, permit me to express the joy I feel on finding myself this day in this assembly, and meeting those illustrious men whom the present age admires, and whom posterity will always point to as models of patriotism, and whose merits eternity itself can alone recompence.

While all Europe kept its eyes fixed on your exploits, their High Mightinesses could not refrain from very seriously interesting themselves therein, recollecting as they always did the dangers and difficulties to which their forefathers were subjected, before they could free themselves from the yoke in which they were enthralled. They knew better than any other the worth of independence, and they knew better to set a just value on the greatness of

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your deſigns. They applauded your generous enterprize, which was inſpired by a love of your country, conducted with prudence and ſupported with heroic courage; and they rejoiced at the happy ſucceſs which crowned your labors.

In order to convince you of their affection, and the part they take in whatever regards your republic, my maſters have charged me to congratulate you on the accompliſhment of your deſire, which had for its object the power of your own abſolute will, and the enjoyment of that inеſtimable and natural treaſure, which places you in the rank of ſovereign and independent powers.

How flattering is it to me to find myſelf this day the organ and interpreter of the ſentiments and diſpoſitions of my maſters, and to have it in my power to aſſure you, on their behalf, that there is nothing which they more ardently wiſh than the happineſs of your republic, and the eſtabliſhment of the union of your ſtates. May this union, founded on the principles of true patriotiſm and a love for the public good, be cemented in ſuch a manner, that neither falſe ambition, jealouſy, or private intereſt, may ever be able to do it the leaſt injury. May the adminiſtration of a wiſe and prudent government, diſpenſe happineſs and plenty among the people, and give them a glory extended from pole to pole, and as laſting as ages.

GENTLEMEN,

Their High Mightineſſes are not content with ſending compliments of congratulation, which are in themſelves unfruitful, but being convinced that an intercourſe of commerce and mutual good will, are the ſureſt means of binding cloſer the ſacred bonds of friendſhip, which already unite you together, they have commanded me to aſſure you, that they have nothing nearer at heart, than to labor effectually to render this friendſhip fruitful and profitable, and to contribute as far as poſſible to the aggrandizement of an ally, from whom they promiſe themſelves the ſame efforts. This is a ſketch, but a very feeble and imperfect ſketch, of the ſentiments of my maſters whoſe ſincerity ſurpaſſes expreſſion, but which is however manifeſted in the letter which I ſhall have the honor to deliver you. This, gentlemen, this is the purpoſe of

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the miſſion with which they have honored me. May it be in my power worthily to anſwer their expectation, and at the ſame time to gain your affection and confidence, which are ſo neceſſary for the ſucceſs of my undertaking. As to myſelf, without guile and without artifice, I ſhall always conduct myſelf with that rectitude, candor and cordiality which form the diſtinguiſhing character of a true republican, and which is at the ſame time the beſt ſecurity for my attaining the point of my ambition, which is that of gaining the approbation of Congreſs, the friendſhip of its members, and the eſteem of the United States of America.

He then delivered the letter from their High Mightineſſes the States General, of which the following is a tranſlation.

To the UNITED STATES of AMERICA in CONGRESS aſſembled.

Our FRIENDS and ALLIES,

WITH very great ſatisfaction did we, by the reception of the honorable Mr. Adams, your miniſter with our ſtate, acknowledge the independence of your republic; and with equal and much greater delight have we received the pleaſing tidings of the concluſion of the preliminary articles of peace, by which the court of Great-Britain has declared you free and independent ſtates. We have long ardently wiſhed for this happy period, having for ſeveral years paſt with ſorrow ſeen the troubles and difficulties with which you were obliged to ſtruggle. And we do moſt cordially congratulate you on this happy event, ſincerely taking a ſhare in your preſent agreeable ſituation.

To give a teſtimony of our ſentiments in this reſpect and to convince you of our unfeigned eſteem, we have thought it proper to ſend to you an envoy extraordinary; we have for that purpoſe choſen a gentlemen of diſtinction, whoſe perſonal qualifications are in great repute among us—the honorable Mr. Peter John Van Berckel, burgomaſter of the city Rotterdam, and a deputy in our aſſembly.

aſſembly. We hope and truſt that you will graciouſly receive this gentleman in quality of our miniſter plenipotentiary, and when he ſhall have the honor to deliver you theſe preſents, and to enter into farther negotiations with you, that you will give full faith unto him as unto ourſelves, being aſſured that he will not be able to expreſs in terms too ſtrong the ſentiments of eſteem and reverence which we have for a long time poſſeſſed for that wiſdom, courage and perſeverance by which you have rendered yourſelves famous throughout the world.

May God grant that your riſing republic may become more and more proſperous; that it may increaſe in luſtre and glory, and ſubſiſt to the end of time.

We ſhall at all times rejoice in your increaſing felicity; and we deſire nothing more ardently than that we may maintain the ſtricteſt friendſhip and correſpondence with you, for the good of the ſubjects and inhabitants of both countries.

This letter being read, the preſident returned the following anſwer to the miniſter.

SIR,

IN a conteſt for the rights of human nature, the citizens of the United States of America, could not but be impreſſed with the glorious example of thoſe illuſtrious patriots, who, triumphing over every difficulty and danger, eſtabliſhed the liberties of the United Netherlands on the moſt honorable and permanent baſis. Congreſs, at an early period of the war, ſought the friendſhip of their High Mightineſſes; convinced that the ſame inviolable regard for liberty, and the ſame wiſdom, juſtice and magnanimity which led their forefathers to glory, was handed down unimpaired to their poſterity; and our ſatisfaction was great in accompliſhing with them a treaty of amity and commerce on terms ſo acceptable to both nations.

With the ſincereſt pleaſure, ſir, we receive the honorable teſtimonials of confidence and eſteem of their High Mightineſſes, and their affectionate congratulations on the ſucceſs of our efforts in the ſacred cauſe of liberty.

We

We assure you, sir, that it is our earnest desire, to unite with their High Mightinesses in every measure which can promote the most unreserved confidence, and the most friendly intercourse between two nations, which have vindicated their freedom amidst the most trying scenes of danger and distress, and have been equally blessed by the gracious interposition of divine Providence, with that sovereignty and independence so essential to their safety and happiness.

Governed by the same ardent love of freedom, and the same maxims of policy; cemented by a liberal system of commerce, and earnestly disposed to advance our mutual prosperity, by a reciprocity of good offices; we persuade ourselves that the most friendly and beneficial connection between the two republics, will be preserved inviolate to the latest ages.

It adds, sir, greatly to our pleasure on this interesting occasion, that their High Mightinesses have employed as their minister, a gentlemen so highly celebrated for rectitude and patriotism, and from whose illustrious family these United States have received the most distinguished proofs of regard and friendship.

The secretary at war reported, that the following lines, corps and individuals, have agreed to accept the commutation of five years pay, in lieu of the half pay for life, as appears by the papers accompanying his report,

The lines of New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland and Virginia.

Armand's legion, two light dragoons, Hazen's regiment:

Corps of engineers, sappers and miners, Patton's and Pendleton's artificers, Van Heer's troop:

Adjutant general and family, brigadier general Clinton:

Colonel William Grayson, colonel Malcolm, lieutenant colonel Morris:

Major Franks, major Aquilla Giles, major Macpherson, major Burnet, major Barber, major Bruin of the artificers, captain Turner, captain Bentalon, captain John Stevens, captain M'Lane, captain Second, lieutenant Beaulieu,

Beaulieu, lieutenant Jollibois, hoſpital department and doctor Tilton, doctor Bodo Otto, doctor Frederick Otto, doctor Martin.

The reverend Mr. Ellis, Mr. Plumb, and Mr. Armſtrong.

SATURDAY, NOVEMBER 1, 1783.

On the report of a committee conſiſting of Mr. Hamilton, Mr. Madiſon and Mr. Peters, to whom was referred a letter of 14th March, 1783, from the ſecretary at war,

Reſolved, That all lieutenant colonels commandant in the army of the United States, ſhall rank as full colonels from the date of their reſpective commiſſions, and that new commiſſions iſſue accordingly, the reſolution of the 27th May, 1778, notwithſtanding.

On the report of a committee conſiſting of Mr. S. Huntington, Mr. A Lee and Mr. Duane, to whom were referred a letter from captain J. P. Jones, to the agent of marine, of the 13th October, and a letter from him to Congreſs of the 18th of the ſame month,

Reſolved, That captain John Paul Jones be, and he hereby is recommended to the miniſter plenipotentiary of the United States, at the court of Verſailles, as agent, to ſolicit under the direction of the ſaid miniſter, for payment and ſatisfaction to the officers and crews, for all prizes taken in Europe under his command, and to which they are any wiſe entitled. And that the ſaid captain J. P. Jones, ſhall receive the commiſſion uſually allowed in ſuch caſes, out of the money which he ſhall recover as agent for the ſaid prizes, in full compenſation for his ſervices and expences: Provided always, that the ſaid captain J P. Jones, previous to his entering upon the execution of the ſaid truſt, ſhall give to the ſuperintendant of finance, for the benefit of all concerned, ſufficient bonds with good ſecurity, for the faithful diſcharge thereof, and for the juſt payment of the ſame to the ſaid ſuperintendant of finance, to be by him diſtributed to thoſe perſons who may be entitled thereto.

A letter of this day from major general Greene was read, ſtating that the letters and miſcellaneous papers,

containing a hiſtory of the moſt material parts of the ſouthern operations, may contain ſome things which Congreſs or their officers may hereafter have occaſion to refer to: That if Congreſs ſhould think it an object worthy the expence, he would be glad to get the whole papers tranſcribed into bound books, and would take the trouble of directing the buſineſs, if Congreſs will be at the expence of a clerk to do the writing: whereupon

Ordered, That the ſecretary furniſh general Greene with a clerk to copy into a book or books, the papers or letters in his poſſeſſion relative to the ſouthern operations; and that the record thereof be lodged in the ſecretary's office.

Reſolved, That the agent of marine provide captain J. P. Jones with a paſſage to France, in the ſhip Waſhington.

On a report from the ſecretary at war, to whom was referred a petition from lieutenant Richard Fullerton, and a motion thereon—Congreſs came to the following reſolution.

Lieutenant Richard Fullerton having acted as a volunteer at an early period of the war, particularly in the action on Long-Iſland, and at the battles of Trenton and Princeton; and having diſcharged the ſeveral extra appointments of adjutant, major of brigade, and the important one of aſſiſtant adjutant general to the ſouthern army, highly to the ſatisfaction of his general officers.

Reſolved, That the ſecretary at war, iſſue to lieutenant Fullerton, the brevet commiſſion of captain.

On motion of Mr. Ellery, ſeconded by Mr. Williamſon,

Ordered, That the poſtmaſter general enquire into the circumſtances of the mail being ſtolen out of the poſt-office in Princeton, on laſt Thurſday evening, and make report thereof to Congreſs.

The committee conſiſting of Mr. Carroll, Mr. Duane and Mr. S. Huntington, to whom was referred a motion of Mr. Wilſon, to deviſe means for procuring a full repreſentation in Congreſs, having reported,

"That whether from the peculiar circumſtances ſome of the ſtates have been under during the war, or that the

ſtates

ſtates in general were not ſufficiently impreſſed with the importance of keeping up a conſtant repreſentation in Congreſs, the committee cannot find on examining the journals, notwithſtanding the repeated earneſt recommendations for that purpoſe, that all the ſtates have been repreſented at the ſame time: it appears that frequently there have not been more than nine ſtates, and too generally not more than a competent repreſentation for the leſſer objects of the confederation. As the articles of confederation are ſilent upon this ſubject, any further than by fixing the number of delegates for each ſtate, and by declaring how many ſhall conſtitute a repreſentation, the committee preſume ſuch ſilence was in conſequence of a firm reliance that the ſtates could not be inattentive to a duty not only eſſential to the intereſts of each ſtate, but likewiſe to a principle on which the federal government itſelf reſts.

The articles of confederation requiring, for certain purpoſes, the agreement of nine ſtates; and as it has ſeldom happened more than that number have attended, the committee conceive, that not only the injury the public and individuals have ſuffered thereby, have been occaſioned in many inſtances by the abſence of the delegates of ſome of the ſtates, but likewiſe that the ſpirit of the articles of confederation have been defeated, by making an unanimity neceſſary, whereas nine only out of thirteen are required.—And the committee are further of opinion, that unleſs the ſtates purſue effectual meaſures for keeping up a conſtant repreſentation, another material object of the confederation will be fruſtrated. The delays unavoidable for want of a full repreſentation, will, they conceive, oblige Congreſs to remain ſitting the whole year, whereas by the articles of confederation it appears, that it was expected part of the buſineſs of the United States, would be tranſacted by a committee of the ſtates.

The committee therefore are of opinion, that it ſhould be earneſtly recommended to the reſpective ſtates, to take the moſt effectual meaſures to maintain at all times while Congreſs are ſitting, a full repreſentation, that the delay of buſineſs, which has proved ſo injurious to the pub-

lic

lic, and grievous to individuals, may no longer be a ſubject of comp'aint.

Reſolved, That Congreſs agree to the ſaid report;

And in order that the ſtates may have a proper knowledge of the circumſtances Congreſs ſhall be under in this reſpect,

Reſolved, That every morning at eleven o'clock, an account be taken of the attendance of the ſeveral delegates in Congreſs, and a copy thereof, together with an account of the ſtates unrepreſented, be ſent to the executive of each ſtate.

On the report of a committee conſiſting of Mr. S. Huntington, Mr. Duane and Mr. Madiſon, to whom were referred among other things, a letter from the ſuperintendant of finance, of the 15th September laſt, and ſundry papers therein encloſed,

Reſolved, That it be an inſtruction to the ſuperintendant of finance, to inform the farmers general of France, that Congreſs are ſenſible of their generous attention to the circumſtances of the war in which theſe United States have been ſo long engaged, and which interrupting their commerce, deprived them of the means of ſeaſonable remittances, to ſatisfy the balance ſo juſtly due on the loan made by them.

That the United States in Congreſs aſſembled, in providing for the national debt, by their act of the 18th day of April, 1783, were not unmindful of the demands of ſaid farmers general; and when the ſyſtem thereby adopted for the relief of public creditors ſhall have taken effect, the intereſt accruing on the balance due to the ſaid farmers general will be punctually remitted—And that if this arrangement ſhall not prove ſatisfactory to the farmers general, they ſhall be aſſured in the name of the United States, that all the means in their power ſhall be employed to diſcharge the principal ſum due to the ſaid farmers general, as ſoon as the condition of the public finances will admit.

On the report of a committee conſiſting of Mr. Hawkins,

kins, Mr. Lee and Mr. Duane, to whom was referred a memorial of lieutenant William Stewart,

Resolved, That the superintendant of finance take order for paying lieutenant William Stewart, two months pay on account.

On motion of Mr. Holten, seconded by Mr. Williamson,

Resolved, That the several matters now before Congress, be referred over and recommended to the attention of the United States in Congress assembled, to meet at this place on Monday next.

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